

with which they had clothed him in this great legislative assembly. He was patriotic and high minded and thoroughly imbued with love of country and a sense of civic duty; painstaking and untiring in his efforts to serve his constituents and prompt in the discharge of his official duties. In his death the country has lost a faithful servant, his State a noble son, and his many friends a loyal friend, and as we deplore the death of our colleague in this solemn hour, let us invoke the blessings and the protection of a kind Providence to hover over her who is left alone to mourn the loss of a beloved husband.

Mr. BALL of Texas. Mr. Speaker, my colleague, Mr. BURGESS, who has been unavoidably called to his home in Texas, has prepared a eulogy, which I shall ask leave to print in the RECORD. In this connection I will also say that there are a number of gentlemen who desired to deliver eulogies in honor of the memory of both Judge SHEPPARD and Mr. DE GRAFFENREID. I ask general leave that they may be permitted to publish their remarks.

There being no objection, leave was granted.

Mr. BURGESS. Mr. Speaker, in the prime of a splendid manhood REESE CALHOUN DE GRAFFENREID was suddenly called into the great beyond. In life he was my true and loyal friend. And much as I dislike to speak of death, I feel constrained by the deep affection we bore each other to offer my feeble tribute to his memory. His death was pathetic. Comparatively a young man, in full possession of fine mental faculties and an extraordinary physique, far from home and friends, this man, who loved all these so fervently, was suddenly seized by the icy, relentless hand of Death, and without opportunity for a parting hand-grasp from friends, or a single tender word from his dear wife, in a moment he was hurried to "that bourne from which no traveler returns."

The physician summoned to his bedside found his spirit fled beyond the power of earthly medicine into the presence of the Great Physician. It was a distinct, sudden shock to his family, and friends whose name is legion. "De," as he was commonly and familiarly called by his friends, was a lawyer of fine ability, especially strong as a jury lawyer, by reason of his mastery of the facts of his case, his logic and eloquence, and, perhaps more than all, his touch with men. His was a fine brain, rich in native force and quickness. In politics he was known as a fighter who in all matters of principle asked no quarter and gave none. As the great Ingersoll said of the greater Conkling, "He walked the highway of his own will, and he kept the company of his self-respect."

He was an honest man, in whose soul lurked not the shadow of a lie; a patriot whose love of country permeated every fiber of his being; a public servant loyal to every trust; a man of clear convictions, and of that greater trait, the courage of them. In thought and feeling he was democratic in the broadest and best sense; innately a gentleman, not so much by the outward polish of this world, but by the gift of God; one whose tenderness toward all mankind suggests the beautiful lines:

Nature, with a lavish hand,  
Sends forth her nobly born,  
And laughs the paltry attributes  
Of wealth and rank to scorn.  
She molds with care a spirit rare,  
Half human, half divine,  
And cries, exulting, "Who can make  
A gentleman like mine?"

All along through life, in private and in public, friends sprang up on every side. Here in this Capitol by his fellow-members he was beloved personally; with all the employees of the House he was popular; and that body of brainy men which constitute the molders of thought largely in this country, the press boys, all liked him. In fact, it may be almost said that friendship was this man's religion and that he worshiped at its shrine with an unflinching devotion. Loyalty to his friends, whether in prosperity or in adversity, seems to have been the law of his being. He was ever responsive to this law, and few men, if any, were more generous in their friendships than this noble heart who sleeps his last sleep.

He had a heart as true and tender as a woman's; it overflowed with love for children, for the true and beautiful in every avenue of life. In sadness I have uttered these truths about my dead friend. I trust that as the light of a quenched star comes down to us for years after it is extinguished, so may the memory of his noble heart linger in sweetness forever in the hearts of his friends.

Mr. HENRY of Texas. Mr. Speaker, I now ask that the three series of pending resolutions be adopted.

The question being taken, the resolutions were unanimously adopted.

The SPEAKER pro tempore (at 2 o'clock and 55 minutes p. m.). In obedience to the resolutions just adopted, the House stands adjourned until to-morrow at 12 o'clock noon.

## SENATE.

MONDAY, January 26, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

## CONDITIONS IN ISLAND OF GUAM.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, ordered to lie on the table, and be printed:

## To the Senate:

In response to the resolution of January 15, I transmit the attached letter from the Acting Secretary of the Navy, with inclosures, which contain fully and specifically the information asked for.

In reference to the case of Mabini, especial attention is drawn to the communications of the Secretary of War, notably his communication to the Department of the Navy of July 18, 1902; the special dispatch of July 18 from the War Department to General Chaffee, commanding the Division of the Philippines, and to the communication of the Acting Secretary of the Navy of July 26 to the governor of Guam inclosing said letter from the Secretary of War and directing that action in accordance therewith be taken.

By these letters the governor of Guam is explicitly directed to release from detention all prisoners, and it is presumed that he has acted accordingly; but to provide against the slightest chance of misapprehension he has been specifically directed that all persons found in the island under the direction of the War Department shall be released in accordance with the terms of the Secretary of War's letter of July 18. In other words, the inhabitant of the Philippine Islands named Mabini, concerning whom a special inquiry is made in the resolution of the Senate, is at liberty to go on a Government transport anywhere outside of the Philippine Islands where such transports touch without taking any oath of allegiance whatsoever, and is allowed to go to any part of the world save the Philippine Islands without taking the oath of allegiance, and he will be allowed to go on any private vessel to the Philippine Islands, but he can not land there save on condition of complying with the act of the Philippine Commission demanding that he take the oath of allegiance. This is also a condition of the proclamation of peace and amnesty.

THEODORE ROOSEVELT.

WHITE HOUSE, January 24, 1903.

## SENATOR FROM MICHIGAN.

Mr. BURROWS presented the credentials of RUSSELL A. ALGER, chosen by the legislature of the State of Michigan a Senator from that State for the unexpired portion of the term beginning March 4, 1901; which were read and ordered to be filed.

Mr. BURROWS. I ask that the oath of office be now administered to my colleague.

The PRESIDENT pro tempore. The Senator-elect will present himself at the desk and the Chair will administer the oath of office.

Mr. ALGER was escorted to the Vice-President's desk by Mr. BURROWS, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

## PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation granting pensions to certain officers and enlisted men of the Life-Saving Service, and to their widows and children; which was referred to the Committee on Commerce.

He also presented a petition of the officers and members of General Lander Post, No. 5, Grand Army of the Republic, of Lynn, Mass., praying for the enactment of legislation to grant a pension to George K. Knowlton; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Pacific Union Church, of Westford, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of New York, presented the memorial of Springer & Mead, of Moravia, N. Y., remonstrating against the establishment of a department of commerce; which was referred to the Committee on Commerce.

He also presented petitions of Curtice Brothers Company, of Rochester; of John E. Smith's Sons & Co., of Buffalo; of the J. & T. Charlton Lumber Company, of North Tonawanda; and of the Punxsutawney Iron Company of Buffalo, all in the State of New York, praying for the establishment of a department of commerce; which were referred to the Committee on Commerce.

He also presented petitions of the Erie Preserving Company, of Buffalo; of the James Reilly Repair and Supply Company, of New York; and of the J. C. Hunter Company, of New York, all in the State of New York, praying for the enactment of legislation providing for the issuance and circulation of national bank notes; which were referred to the Committee on Finance.

He also presented memorials of R. C. Talbot and Perkins, of Brooklyn; of Clinton S. Arnold, of Scarborough-on-Hudson; of the Charity Organization Society, of Buffalo; of the Bickford &

Francis Belting Company, of Buffalo; of the Humane Society of Rochester, and of the Buffalo Pitts Company, of Buffalo, all in the State of New York, remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the New York State Brewers and Maltsters' Association, of New York; of the McLennan Paint Company, of Buffalo; of Longman & Martinez, of New York, and of Benjamin Moore & Co., of New York, all in the State of New York, praying for the passage of the so-called pure-food bill; which were ordered to lie on the table.

He also presented memorials of Goff & Mather, of Elmira; of the John S. Loomis Company, of Brooklyn; of T. W. & C. B. Sheridan, of New York; of the Cronk & Carrier Manufacturing Company, of Elmira, and of the Doane & Jones Lumber Company, of Elmira, all in the State of New York, remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of Carpenters and Joiners' Local Union, No. 229, of Glens Falls; of the Trade and Labor Council of Poughkeepsie; of the American Wire Weavers' Protective Association, of Brooklyn; of the Pattern Makers' Association, of Schenectady; of Lithographers' International Protective and Beneficial Association, No. 5, of New York, and of Piano and Organ Workers' Local Union, No. 27, of Brooklyn, all of the American Federation of Labor; of Local Division No. 392, Amalgamated Association of Street Railway Conductors, of Rochester; of William Allard, of Sandhill, all in the State of New York, and of the Central Labor Union of Washington, D. C., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented the petition of Rev. S. P. Hammond and sundry other citizens of Haverstraw, N. Y., praying for the enactment of legislation to restrict immigration; which was ordered to lie on the table.

He also presented petitions of sundry citizens of the State of New York, praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which were ordered to lie on the table.

He also presented petitions of Lodge No. 146, of Manhattan; of Lodge No. 84, of New York; of Lodge No. 28, of Troy; of Lodge No. 77, of New York; of Lodge No. 128, of Binghamton; of Lodge No. 9, of New York; of Lodge No. 60, of Syracuse; of Lodge No. 50, of New York; of Lodge No. 79, of Buffalo, and of Lodge No. 285, of New York, all of the order of B'rith Abraham, in the State of New York, praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

Mr. DILLINGHAM presented a petition of the State Council of Vermont, Junior Order of United American Mechanics, of Lunenburg, Vt., praying for the passage of the so-called immigration bill; which was ordered to lie on the table.

He also presented a petition of Reed and Rattan Workers' Union No. 8693, of Brattleboro, Vt., praying for the repeal of the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of the Woman's Christian Temperance Union of Jamaica, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the Vermont Humane Society, of Bristol, Vt., and a memorial of the Humane Society of Rutland, Vt., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented a memorial of the Woman's Christian Temperance Union of Claremont, N. H., remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

Mr. CLAY. I present a joint resolution of the general assembly of the State of Georgia relative to the reimbursement to that State of certain sums paid by it. The joint resolution is accompanied by the pay roll of Capt. Samuel Patterson's company of Mounted Volunteers attached to the regiment raised for the protection of the citizens of the Cherokee country mustered into the service of the State of Georgia by Maj. John W. Chastain, etc. I ask that the joint resolution be printed in the RECORD and that it, with the accompanying paper, be referred to the Committee on Claims.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

#### A JOINT RESOLUTION.

Whereas the general assembly of the State of Georgia did, at its annual session on the 26th day of December, 1887, pass an act authorizing the governor

of said State, in case of military necessity, for the protection of the citizens of the Cherokee country and to cooperate with the United States troops in removing the Cherokee and Creek Indians from the limits of the State, and in the enforcement of the treaty between the United States and the said Indians; and

Whereas His Excellency George R. Gilmer, governor of the State of Georgia, in obedience to the authority invested in him by the constitution and laws of said State, did order two companies to act in cooperation with the forces of the United States, to wit: First company commanded by Capt. Samuel Patterson, of Union County, Ga., consisting of 77 men, rank and file, which said company was on duty in the field from the 23d of May to 14th July, 1888. When discharged was afterward paid by John B. Trippe, treasurer of said State, on September 24, 1887, to James A. Green, agent for said company, the sum of \$2,888. The second company ordered into service was commanded by Capt. John E. Price, and was in actual service for the term of fifty-three days, the company consisting of 63 men, rank and file, service commencing on the 25th day of May and ending on the 12th day of July, 1888, both days inclusive. When discharged there was also paid by John B. Trippe, treasurer of said State, to James A. Green, agent for said company, the sum of \$3,066.54, on the 24th of September, 1887.

The services rendered by said two companies was acting in cooperation with the military forces of the United States in arresting and gathering up the Cherokee Indians and moving them west of the Mississippi under treaty of 1833, which was concluded by the United States authorities and chiefs of the Cherokee Indians at New Echota, Ga.: Therefore, be it

Resolved by the senate of the State of Georgia (the house of representatives concurring), That the governor be instructed to request our Senators and Members of the House of Representatives in the Congress of the United States to use their influence to procure the reimbursement to the State of Georgia of the two said amounts, aggregating the sum of \$5,954.54.

#### STATE OF GEORGIA, OFFICE OF THE SECRETARY OF STATE.

I, Philip Cook, secretary of state of the State of Georgia, do hereby certify that the attached single sheet of printed matter contains a true and correct copy of a joint resolution of the general assembly of the State of Georgia, on file in this office. "Requesting our Senators and Representatives in Congress have the United States reimburse this State in certain Indian war claims." Said joint resolution was introduced in senate and read first time November 25, 1902; read second time November 26, 1902; read third time December 2, 1902; and passed—ayes, 26; nays, 0.

In house read first time December 5, 1902; read second time December 9, 1902; read third time December 11, 1902; and passed—ayes 92, nays 0.

Approved by his excellency, the governor, December 16, 1902.  
In testimony whereof I have hereunto set my hand and affixed the seal of my office at the capital, in the city of Atlanta, this 3d day of January, A. D. 1903 and of the Independence of the United States of America the one hundred and twenty-seventh.

[SEAL.]

PHILIP COOK,  
Secretary of State.

The PRESIDENT pro tempore. The memorial and accompanying paper will be referred to the Committee on Claims.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation providing certain reforms in the currency system of the United States; which was referred to the Committee on Finance.

He also presented petitions of 214 citizens of Pittsburg; of Washington Camp, No. 149, Patriotic Order of Sons of America, of Shamokin; of 38 citizens of Hazelton; of 15 citizens of Wanamie; of 19 citizens of Cressona; of 40 citizens of Centralia; of 25 citizens of Freeland; of 17 citizens of Mount Carmel; of 43 citizens of Kingston, and of 12 citizens of Philadelphia, all in the State of Pennsylvania, praying for the passage of the so-called immigration bill; which were ordered to lie on the table.

Mr. PROCTOR presented a petition of Montpelier Branch, Granite Cutters' National Union, of Montpelier, Vt., praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

Mr. McCOMAS presented a petition of Riglar Lodge, No. 83, Order of B'rith Abraham, of Baltimore, Md., praying for the enactment of legislation to modify the method and practice of the immigration officers at the port of New York; which was referred to the Committee on Immigration.

Mr. DOLLIVER presented a memorial of the Ministerial Association of Des Moines, Iowa, remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of Lodge No. 106, Brotherhood of Locomotive Firemen, of Dubuque, Iowa, praying for the repeal of the desert-land law and the commutation clause of the homestead act; which was referred to the Committee on Public Lands.

He also presented a petition of Carpenters and Joiners' Local Union No. 554, American Federation of Labor, of Davenport, Iowa, praying for the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented a petition of the Business Men's Association of Davenport, Iowa, and a petition of the Commercial Club of Muscatine, Iowa, praying that an appropriation be made for the improvement of the Mississippi River from St. Louis to St. Paul; which were referred to the Committee on Commerce.

He also presented a petition of Evening Star Lodge, No. 112, Brotherhood of Locomotive Firemen, of Sioux City, Iowa, and a petition of Local Division No. 114, Order of Railroad Telegraphers, of Perry, Iowa, praying for the passage of the so-called anti-injunction and conspiracy bill; which were ordered to lie on the table.

He also presented a memorial of the Trades and Labor Assembly, American Federation of Labor, of Ottumwa, Iowa, and a memorial of the Trades Assembly, American Federation of Labor,



of Oskaloosa, Iowa, remonstrating against the enactment of legislation to repeal the stamp tax on eighth kegs of beer; which were referred to the Committee on Finance.

Mr. DRYDEN presented a petition of the Board of Trade of Newark, N. J., praying for the enactment of legislation providing certain reforms in the national currency system; which was referred to the Committee on Finance.

He also presented petitions of Trenton Division, No. 85, Order of Railroad Telegraphers, of Trenton; of Local Union No. 340, Carpenters and Joiners of Orange, and of Typographical Union No. 323, of Hoboken, all in the State of New Jersey, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented a memorial of the Newark Embroidering Works, of Newark, N. J., remonstrating against the passage of the so-called eight-hour bill; which was ordered to lie on the table.

He also presented memorials of W. F. Tower, of Vineland; of A. Waller, of Vineland; of Joshua T. Ballinger, of Haddonfield; of the congregation of the Methodist Episcopal Church of Blairs-town; of the congregation of the Baptist Church of Livingston; of Joshua B. Hillman, of Haddonfield; of the congregation of the Methodist Episcopal Church of Haddonfield; of Joseph C. Corson, of Vineland; of J. F. Burroughs, of Haddonfield; of the Woman's Christian Temperance Union of Bridgeton; of D. H. Burge, of Vineland; of S. C. Glade, of Vineland; of F. S. Newcomb, of Vineland; of C. T. Gillman, of Vineland; of Dr. E. S. Goudy, of Deerfield; of the congregation of the Wesleyan Methodist Church, of Mays Landing; of George Kieghley & Sons, of Vineland; of J. D. Huff, of Deerfield; of S. Trausue, of Delaware, and of J. G. Brookes, of Atlantic Highlands, all in the State of New Jersey, remonstrating against the repeal of the present antican-teen law; which were referred to the Committee on Military Affairs.

Mr. HOAR presented a petition of Fall River Lodge, No. 152, Order of B'rith Abraham, of Fall River, Mass., praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which was referred to the Committee on Immigration.

Mr. FRYE presented the petition of James Seldon Cowden, of Washington, D. C., praying that certain names now on the temporary rolls in the various departments be transferred to the permanent rolls; which was referred to the Committee on Civil Service and Retrenchment.

#### STAFF CORPS OF THE NAVY.

Mr. HALE. I present sundry communications from the Navy Department, containing information relative to certain staff corps of the Navy. I move that the communications be printed as a document and referred to the Committee on Naval Affairs.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. LODGE. From the Committee on the Philippines, I desire to report a bill providing for the removal of persons accused of crime to and from the Philippine Islands, Guam, Tutuila, and Manua for trial. There is now no possibility of getting a criminal escaping to the United States back to those islands, and none of getting a criminal escaping to those islands from the United States back here for trial.

I ask that the accompanying letters from the Secretary of War and the Department of Justice may be printed for the information of the Senate, and I give notice that I shall call up the bill at an early day. I think there will be no objection to it, and I shall try to have it passed by unanimous consent.

The bill (S. 7124) to provide for the removal of persons accused of crime to and from the Philippine Islands, Guam, Tutuila, and Manua for trial, was read twice by its title.

The PRESIDENT pro tempore. The bill will be placed on the Calendar, and the accompanying papers will be printed as a document.

Mr. LODGE, from the Committee on the Philippines, to whom was referred the bill (H. R. 15520) to establish a standard value and to provide for a coinage system in the Philippine Islands, reported it with an amendment.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 6377) to confirm the name of Seward place for the space formed by the intersection of C street S. and Pennsylvania and North Carolina avenues, District of Columbia, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3638) for the extension of Eighth street NW. or Wright's road, District of Columbia, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the

22d instant relating to leaves of absence to per diem employees of the District of Columbia, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (S. 6093) to authorize street-railway companies in the the District of Columbia to convey small freight, express matter, etc., reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5955) for the relief of the representatives of M. F. Merritt, deceased;

A bill (S. 7002) for the relief of the contractor or his legal representatives for the construction of the light-draft monitor *Ellah*; and

A bill (S. 3838) to refer to the Court of Claims the claim for the *Tunxis*.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 6024) granting a pension to Ann Christy Glass, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1531) granting an increase of pension to Susan E. Duncan, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8254) granting an increase of pension to John R. Curry, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 9074) granting a pension to Elizabeth C. Gates, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 6792) granting a pension to Thomas Seal; and

A bill (S. 7055) granting a pension to Vina Lindenbower.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1423) granting an increase of pension to Asa Tarbox;

A bill (H. R. 1014) granting a pension to Laura Levenseler;

A bill (H. R. 714) granting an increase of pension to Frederick Hart; and

A bill (H. R. 15473) granting an increase of pension to Winthrop W. Wolcott.

Mr. GALLINGER (for Mr. PRITCHARD), from the Committee on Pensions, to whom was referred the bill (H. R. 12524) granting an increase of pension to Elvira M. Cooper, reported it without amendment, and submitted a report thereon.

Mr. MORGAN, from the Committee on Inter-oceanic Canals, to whom was referred the bill (S. 6965) to regulate the making of contracts for constructing an isthmian canal under the act of June 28, 1902, reported it without amendment.

Mr. MALLORY, from the Committee on the District of Columbia, to whom was referred the bill (S. 6421) to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1631) granting an increase of pension to Edna K. Hoyt;

A bill (H. R. 5460) granting an increase of pension to Thomas Sherry;

A bill (H. R. 6332) granting a pension to Michael Conlon;

A bill (H. R. 5450) granting a pension to Charles P. Bigelow; and

A bill (H. R. 8626) granting an increase of pension to Sarah E. Yemans.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 5641) granting a pension to Charlotte J. Closser, reported it with amendments, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 1227) granting a pension to Bowman H. Peterson, reported it with amendments, and submitted a report thereon.

He also (for Mr. PATTERSON), from the same committee, to

whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14388) granting an increase of pension to Graham McClosson; and

A bill (H. R. 7012) granting an increase of pension to Abel Fleming.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4443) granting an increase of pension to Thomas Bassett; and

A bill (S. 5830) granting an increase of pension to Andrew Jackson.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4919) granting an increase of pension to James M. White;

A bill (H. R. 11258) granting a pension to William F. Randolph;

A bill (H. R. 14258) granting a pension to Fletcher Duling;

A bill (H. R. 15064) granting an increase of pension to Frederick Shovar;

A bill (H. R. 15329) granting an increase of pension to Elizabeth Rosenbarger; and

A bill (H. R. 15661) granting an increase of pension to James M. Marshall.

Mr. DEBOE (for Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (S. 3174) granting an increase of pension to Fredericka W. Lillman, reported it with amendments, and submitted a report thereon.

He also (for Mr. PRITCHARD), from the same committee, to whom was referred the bill (S. 1335) granting a pension to Elizabeth Neal, reported it with an amendment, and submitted a report thereon.

#### REPORT ON ALASKAN SALMON FISHERIES.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from California [Mr. BARD] on the 23d instant, to report it favorably without amendment, and I ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the report of Howard M. Kutchin, special agent of the Treasury Department, on the Salmon Fisheries of Alaska, for 1902, be printed, and that 750 additional copies be printed and bound in paper covers for the use of the Treasury Department.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution reported by the Senator from New York?

Mr. QUAY. I object for the present.

The PRESIDENT pro tempore. The Senator from Pennsylvania objects.

Mr. HALE. Mr. President, the reports of the Committee on Printing are by special legislation made privileged. They are matters that are needed from day to day for the convenience of members. I hope things have not come to such a pass that reports of this kind can not be received and passed in the morning hour.

The Senator has already confiscated the portion of the Senate's time beyond 2 o'clock. He now seeks to confiscate the portion of the Senate's time from the opening of the session in the morning to the close of the morning hour, so that ruthlessly and piteously the Senate is tied up and can do no routine business.

If the Senator from Pennsylvania insists on his objection, I hope the Senator from New York will move to proceed to the consideration of the resolution, if that is under the rule, because we may as well understand the situation now. If we are not to be permitted to transact the everyday business which is necessary for the conduct of the affairs of the Senate, then the sooner we know it the better.

I myself was chairman of the Committee on Printing for two years, and I never knew an objection of this kind to be made to a report from that committee, because under the Manderson statute it is made privileged.

Mr. QUAY. Mr. President, there has been a deal of snarling and sneering at the condition of things in the Senate, at the exercise of what is called one-man power, and at interference with business. All sorts of arguments and assaults are made here upon the majority of the Senate, because, Mr. President, there is no Senator upon this floor, as the Senator from Maine understands, who, singly and alone, can affect anything further than I am affecting just now. It is the right of every Senator to object to unanimous consent for the consideration of any measure.

If I were alone in the Senate, attempting to exert my own power as a Senator of the United States and a Senator from the State of Pennsylvania, the Senator from Maine, with his coadjutors, could brush me out of the way as he would brush a mosquito

from his cheek. The power that is dominating the Senate is the power of the majority of the Senators. I am but a scimitar in the hands of the majority, simply a hand on the disk of the dial that registers the will of the majority, and I am tired of being lectured and hectored, as has just been done by the Senator from Maine, whenever I proceed to execute its will.

As to the motion to proceed to the consideration of the resolution, I suppose it is not in order. I do not wish to interfere with the public business or with the desires of my friend from New York. All the important public business of the session can be transacted with dispatch if the minority of the Senate will allow the majority to exercise its right and take a vote upon the pending measure, which is the statehood bill.

Mr. HALE. Mr. President, the objection is not that the majority of the Senate shall not decide what shall be done. The objection is that the Senator himself assumes to represent the majority of the Senate, not only in his bill and the conduct of his bill, but in reference to every other kind of business.

Mr. QUAY. The Senator is mistaken.

Mr. HALE. I have no doubt, Mr. President, if this question could be submitted to the Senate, for Senators are reasonable, the Senate would say at once that the rule shall be enforced which has always been observed, that the Committee on Printing has a right to report at any time and to have its communications considered by the Senate. I have no doubt that the Senate, if the Senator from New York should make the motion, would vote that the Senator shall go on and submit his report and that it shall be received and acted upon by the Senate. The trouble is that the Senator from Pennsylvania will let nothing be done. It is not representing the majority of the Senate on his bill, assuming that he has the majority for his bill, but it is stopping all other business. The Senator has no right to assume that he is representing the majority. The Senator will have an opportunity, and the Senate will undoubtedly have an opportunity, of deciding before long whether all other business is to be set aside for this one measure.

Mr. COCKRELL. Mr. President, I rise to a question of order. Do I understand that there is any law which makes the reports of the Committee on Printing always in order?

The PRESIDENT pro tempore. Nothing beyond custom.

Mr. COCKRELL. There is no rule of the Senate?

The PRESIDENT pro tempore. There is none.

Mr. HALE. Is there no law?

Mr. LODGE. It is in the statute.

Mr. COCKRELL. And one objection, under the rule of the Senate, prevents the Senate from considering the matter during the day the report is made?

The PRESIDENT pro tempore. It does.

Mr. HALE. I think perhaps the Chair has not examined the Manderson law. The Manderson statute made the reports of the Committee on Printing privileged. They can be made at any time. It is a part not of the rules, but of the Manderson law and of the statutes of the United States.

Mr. QUAY. There is no difficulty, Mr. President—

Mr. COCKRELL. I have seen the law, but I understand the report of a committee can be considered on the day it is made only by unanimous consent. I remember a very important measure which was once reported in the Senate from the Committee on Military Affairs, of which I was a member. It was reported on the last day of the session, and I believe I was the only member of the committee who objected to it. I made an objection, and every power of the Senate was brought to overcome that objection, because it practically killed the bill. I know that the objection prevailed, and it was then held that the Senate could not consider that report on the objection of one Senator.

The PRESIDENT pro tempore. The Chair is not familiar with the Manderson law, and has sent for it; but whatever the Manderson law may be, the rule of the Senate provides, as the Senator from Missouri has stated, that a report from a committee must lie over for one day and can be considered only by unanimous consent on the day when it is submitted.

Mr. HALE. Mr. President, there is no doubt about that; but that it is privileged I have no doubt under the Manderson law, unless I am very much mistaken in my memory about that statute.

Mr. QUAY. That is as to submitting the report?

Mr. HALE. As to the report.

Mr. QUAY. There is no question about the right of the Senator from New York to submit the report. The question is about the consideration of the report.

The PRESIDENT pro tempore. The resolution reported by the Senator from New York will go to the Calendar.

#### BILLS INTRODUCED.

Mr. HEITFELD introduced a bill (S. 7125) to purchase the Travis portrait of Abraham Lincoln; which was read twice by its title and referred to the Committee on the Library.



Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7126) for the relief of the representatives of the estate of William B. Ott, deceased;

A bill (S. 7127) for the relief of the estate of William D. Wright, deceased;

A bill (S. 7128) for the relief of Joseph E. Funkhouser; and

A bill (S. 7129) for the relief of James A. Johnston (with the accompanying paper).

Mr. DILLINGHAM introduced a bill (S. 7130) to amend section 13 of an act entitled "An act to prohibit the coming of Chinese laborers to the United States," approved September 13, 1888, relating to appeals from decisions of United States commissioners; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GALLINGER introduced a bill (S. 7131) to exempt from taxation the Corcoran Art Gallery and other like institutions in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DEPEW introduced a bill (S. 7132) to fix the salary of the special examiner of precious stones and pearls at the port of New York; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. PENROSE introduced a bill (S. 7133) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G. Landis, administrator of David B. Landis, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 7134) to grant an honorable discharge from the military service to George Moore; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7135) granting an increase of pension to Morris H. Jones (with the accompanying paper);

A bill (S. 7136) granting an increase of pension to Lewis P. Smith (with the accompanying paper);

A bill (S. 7137) granting a pension to Nicholas Simon;

A bill (S. 7138) granting an increase of pension to Owen McElfish (with the accompanying paper); and

A bill (S. 7139) granting an increase of pension to Mahlon B. Hamilton (with the accompanying paper).

Mr. MORGAN introduced a bill (S. 7140) for the relief of William W. Callahan, administrator of the estate of Thomas Gibbs; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 7141) for the relief of Mrs. Bathsheba Gordon; which was read twice by its title, and referred to the Committee on Claims.

Mr. WARREN introduced a bill (S. 7142) for the allowance of certain claims reported by the Court of Claims, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DOLLIVER introduced a bill (S. 7143) granting an increase of pension to Simon A. Bendon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 7144) granting an increase of pension to Timothy A. Lewis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 7145) granting an increase of pension to Rosetta E. Rafferty; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCOMAS submitted an amendment proposing to appropriate \$7,000 for paving California avenue from Connecticut avenue extended to Phelps place, in the city of Washington, intended to be proposed to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. LODGE submitted an amendment relating to the claims of laborers, workmen, and mechanics employed by or on behalf of the Government of the United States for extra pay for labor performed in excess of eight hours per day, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. QUAY submitted an amendment proposing to appropriate \$2,500 to enable the register of wills of the District of Columbia to complete the card index of the records of his office, intended

to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$100,000 for paving Sixteenth street from Morris street to Columbia road, and for grading and regulating Sixteenth street north of Columbia road, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$30,000 for paving Fourteenth street north of Whitney avenue, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

CORINNE G. BLACKBURN.

Mr. COCKRELL submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Corinne G. Blackburn, sister of Joe Blackburn, jr., late clerk to Senator J. C. S. BLACKBURN, a sum equal to six months' salary at the rate he was receiving at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

#### REPORT OF COMMISSIONER-GENERAL OF IMMIGRATION.

Mr. PENROSE submitted the following concurrent resolution; which, with the accompanying paper, was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed at the Government Printing Office 2,000 additional copies of the annual report of the Commissioner-General of Immigration for the fiscal year ended June 30, 1903, with illustrations, said copies to be delivered to the Bureau of Immigration for distribution.

#### PANAMA CANAL AND PANAMA RAILROAD.

Mr. MORGAN submitted the following resolution; which was read:

*Resolved*, That there be printed for the use of the Senate, as a separate document, the papers included in appendices 1 and 2 to a statement of Col. O. H. Ernst, made to the chairman of the Senate Committee on Inter-oceanic Canals on June 14, 1900, setting forth certain concessions and laws of Colombia relating to the Panama Canal and the Panama Railroad, which statement was reported to the Senate by said committee on December 12, 1901, on pages 244 to 270, inclusive, of Report No. 1, Fifty-seventh Congress, first session.

2. *Resolved*, That the treaty between the United States and Colombia, signed on the 23d of January, 1903, and sent to the Senate, be printed in bill form for the use of the Senate.

The PRESIDENT pro tempore. Does the Senator from Alabama ask for the present consideration of the resolution?

Mr. MORGAN. I ask for its present consideration.

Mr. CULLOM. I do not know that I object to the resolution, but I think it had better go over, so that we can have time to consider it.

The PRESIDENT pro tempore. The resolution will go over under the rule.

#### AFFAIRS IN COLOMBIA.

Mr. MORGAN. I submit the following resolution.

The PRESIDENT pro tempore. Does the Senator ask that it be considered?

Mr. MORGAN. I ask for its reading.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary proceeded to read the resolution, and read as follows:

*Resolved*, That the President is requested, if it is not incompatible with the public interests, to inform the Senate as to the alleged full powers of Señor Herrán, who signed the treaty with Colombia that was sent to the Senate on the 23d of December, 1902, for ratification, to negotiate and sign the same.

Mr. ALDRICH. Mr. President, the sentence just read would indicate that this is a matter of executive business.

Mr. MORGAN. Not by any means, Mr. President. It is asking information upon a matter that is not contained in any treaty and can not be contained in any treaty—a statement of the full powers that are alleged in a treaty sent to the Senate. The injunction of secrecy having been removed from the treaty, it is proposed to inquire of the President of the United States what are the full powers as they appear of record, of course, in the Department of State. It is a public document, which we have a right of access to, and any person in the United States has a right of access to it.

Mr. ALDRICH. This is a matter distinctively, it seems to me, connected with the negotiation of a treaty; it is a pure question for the Executive and not for the Senate; and if it is to be considered in the Senate it ought to be considered in executive session.

Mr. MORGAN. Let us have it read and see. There is no reason in the world why it should be considered in executive session. There is nothing executive, secret, or confidential about it. It is a matter of public record in the Department of State.

Mr. President, I should like to have the resolution read at the desk, if I can have it done, so that the Senate may see what it is.

The PRESIDENT pro tempore. The Secretary will read.

The Secretary resumed the reading of the resolution, as follows:

2. And that he send to the Senate a copy of the powers of the said negotiator.

Mr. ALDRICH. Mr. President, I raise the question that this matter should be considered in secret session. I move that the doors be closed.

Mr. HALE. I second the Senator's motion.

The PRESIDENT pro tempore. The Sergeant-at-Arms will clear the galleries and close the doors.

The doors were thereupon (at 12 o'clock and 28 minutes p. m.) closed, and the Senate, with closed doors, proceeded to consider the resolution.

The hour of 2 o'clock having arrived, the Presiding Officer (Mr. GALLINGER in the chair) laid before the Senate the unfinished business at its last adjournment, namely, the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States, the consideration of which was temporarily laid aside by unanimous consent.

Pending the consideration, with closed doors, of the resolution submitted by Mr. MORGAN, the Senate (at 2 o'clock and 28 minutes p. m.) proceeded to the consideration of executive business; and after ten minutes spent therein, the doors were reopened.

#### SENATOR FROM SOUTH DAKOTA.

Mr. GAMBLE presented the credentials of A. B. KITTREDGE, chosen by the legislature of the State of South Dakota a Senator from that State for the unexpired portion of the term ending March 3, 1903; which were read, and ordered to be filed.

Mr. GAMBLE. I ask that the oath of office may be administered to my colleague.

The PRESIDENT pro tempore. The Senator-elect will present himself at the desk, and the Chair will administer the oath of office.

Mr. KITTREDGE was escorted to the Vice-President's desk by Mr. GAMBLE, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

Mr. GAMBLE presented the credentials of A. B. KITTREDGE, chosen by the legislature of the State of South Dakota a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

#### STATEHOOD BILL.

Mr. BATE. I ask the Senate to proceed with the consideration of the regular order, the statehood bill.

The PRESIDENT pro tempore. The regular order, being the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States, is before the Senate, as in Committee of the Whole, and open to amendment. The bill was laid before the Senate as the regular order at 2 o'clock.

Mr. HALE. I ask unanimous consent that the unfinished business may be laid aside temporarily, and that the Senate proceed to the consideration of the diplomatic and consular appropriation bill.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of what is known as the diplomatic and consular appropriation bill. Is there objection? The Chair hears none, and the bill is before the Senate, as in Committee of the Whole.

Mr. PENROSE. I ask the Senator from Maine whether he will not permit me to call up a joint resolution, which will take but a minute, which is of considerable importance to the localities in Pennsylvania to which it refers. It is the joint resolution (H. J. Res. 216) extending the provision granting to the State of Pennsylvania the use of the court-house at Scranton and Williamsport, Pa.

Mr. HALE. Not to take any debate?

Mr. PENROSE. There will be no debate about it.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that the Senate proceed to the consideration of a joint resolution named by him.

Mr. HALE. I give notice that I can not yield to anything further.

The PRESIDENT pro tempore. The Chair is informed that the joint resolution referred to by the Senator from Pennsylvania [Mr. PENROSE] is not before the Senate, but that it is before the Judiciary Committee.

Mr. PENROSE. I was informed that it had been reported.

The PRESIDENT pro tempore. The Senator will have to ask unanimous consent that the Committee on the Judiciary be discharged from its further consideration.

Mr. PENROSE. I was informed that the committee had re-

ported upon the joint resolution. I will not press the request at this time if the committee has not made a report upon it.

The PRESIDENT pro tempore. It is not on the Calendar.

Mr. PENROSE. I withdraw my request for the consideration of the joint resolution.

Mr. BATE. I give notice that I shall object to any other business interfering with the statehood bill but the appropriation bill called up by the Senator from Maine [Mr. HALE].

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 16910) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendment to the bill (S. 5678) providing for records of deeds and other conveyances and instruments of writing in Indian Territory, and for other purposes, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. LACEY, and Mr. LITTLE managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 149) to provide for holding terms of court in the district of Utah, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JENKINS, Mr. PARKER, and Mr. DE ARMOND managers at the conference on the part of the House.

The message also communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. JOHN L. SHEPPARD, late a Representative from the State of Texas.

The message further communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. CHARLES A. RUSSELL, late a Representative from the State of Connecticut.

The message also communicated to the Senate resolutions passed by the House commemorative of the life and services of Hon. REESE C. DE GRAFFENREID, late a Representative from the State of Texas.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDENT pro tempore. The diplomatic and consular appropriation bill is before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16604) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1904, which had been reported by the Committee on Appropriations with amendments.

Mr. HALE. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments reported by the Committee on Appropriations be first considered.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered. Is there objection? The Chair hears none, and that order will be made.

Mr. TILLMAN. Mr. President, I merely desire to make a statement, not in connection with this bill. It was my intention to submit some remarks this morning in answer to the very remarkable speech made by the Senator from Wisconsin [Mr. SPOONER] on Saturday last, but that Senator being absent, and as I dislike to even appear to attack his position without his being present, I shall await his return, when I shall discuss the Indianola post-office matter.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, in Schedule A, under the subhead "Salaries of ambassadors and ministers," on page 2, line 20, after the word "Servia," to strike out "Bulgaria;" and in the same line, after the word "Greece," to insert "and diplomatic agent in Bulgaria;" so as to make the clause read:

Envoy extraordinary and minister plenipotentiary to Roumania, Servia, and Greece, and diplomatic agent in Bulgaria, \$8,500.

The amendment was agreed to.

The next amendment was, on page 3, line 7, before the word "to," to strike out "minister resident and consul-general" and insert "envoy extraordinary and minister plenipotentiary;" so as to make the clause read:

Envoy extraordinary and minister plenipotentiary to Siam, \$7,500.

The amendment was agreed to.

The next amendment, was on page 3, line 10, to increase the appropriation for the salary of the minister resident and consul-general to Persia from \$5,000 to \$7,500.

The amendment was agreed to.



The next amendment was, on page 3, line 16, to increase the total appropriation for salaries of ambassadors and ministers from \$397,000 to \$399,500.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of secretaries of embassies and legations," on page 4, line 4, after the word "to," to insert "Austria-Hungary;" and in line 8, before the word "dollars," to strike out "fifteen thousand seven hundred and fifty" and insert "eighteen thousand three hundred and seventy-five;" so as to make the clause read:

Secretaries of embassies to Austria-Hungary, Great Britain, France, Germany, Italy, Mexico, and Russia, at \$2,625 each, \$18,375.

The amendment was agreed to.

The next amendment was, on page 4, after line 11, to strike out:

Secretary of legation to Austria-Hungary, \$2,350.

The amendment was agreed to.

The next amendment was, on page 4, after line 16, to insert:

Secretary of legation to Siam and consul-general at Bangkok, \$1,800.

The amendment was agreed to.

The next amendment was, on page 4, line 23, after the word "Servia," to strike out "Bulgaria;" so as to make the clause read:

Secretary of legation to Roumania, Servia, and Greece, with residence at Athens, \$1,800.

The amendment was agreed to.

The next amendment was, on page 5, line 8, after the word "Liberia," to insert "Switzerland;" and in line 10, before the word "hundred," to strike out "eight thousand four" and insert "nine thousand nine;" so as to make the clause read:

Secretaries of legations to Argentine Republic, Venezuela, and Peru, at \$1,800 each, and Liberia, Switzerland, and Korea (who shall be consul-general to Seoul), at \$1,500 each, \$9,900.

The amendment was agreed to.

The next amendment was, on page 5, line 11, after the word "to," to insert "Austria-Hungary;" and in line 13, before the word "thousand," to strike out "twelve" and insert "fourteen;" so as to make the clause read:

Second secretaries of embassies to Austria-Hungary, Great Britain, France, Germany, Italy, Mexico, and Russia, at \$2,000 each, \$14,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 13, to strike out:

Second secretary of legation to Austria-Hungary, \$1,800.

The amendment was agreed to.

The next amendment was, on page 6, line 9, to increase the total appropriation for salaries of secretaries of embassies and legations from \$78,650 to \$82,525.

The amendment was agreed to.

The next amendment was, on page 8, after line 6, to insert:

To supply, when needed, diplomatic officers of the United States with recognized and standard works on international and constitutional law and diplomatic history, \$6,000.

The amendment was agreed to.

The next amendment was, on page 9, line 10, before the word "for," to strike out:

Diplomatic and consular act, approved March 22, 1902.

And insert:

Act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, approved February 14, 1902.

So as to make the clause read:

For improvements of the grounds of the United States legation at Tokyo, Japan, owned by the United States Government, and for the reconstruction of the legation's stable, so much of the sum of \$5,700 appropriated by the act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for prior years, and for other purposes, approved February 14, 1902, for a new system of heating the legation building at Tokyo, Japan, and for a fireproof vault for the preservation of the records and archives of the legation, as remains unexpended for these purposes and as may be necessary.

The amendment was agreed to.

The next amendment was, on page 10, after line 24, to insert:

For payment to Ellen B. Buck, widow of Alfred E. Buck, late minister plenipotentiary to Japan, who died December 4, 1902, while minister, an amount equal to six months' salary of said officer, \$6,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 4, to insert:

For payment to the heirs of Thomas T. Prentiss, late United States consul at Martinique, who with his wife and all their possessions were lost in the late disaster caused by the eruption of Mount Pelee, \$5,000.

Mr. HOAR. I am afraid the question is not very important, but I desire to ask the Senator from Maine whether the word "heirs" is commonly used instead of "next of kin" with respect to personal property?

Mr. HALE. The heirs are the next of kin. They are the surviving children.

Mr. HOAR. Then it is not worth while to raise the question.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations. The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 15, line 18, to insert:

#### NEW EDITION OF CONSULAR REGULATIONS.

For preparing and reprinting a new edition of the Consular Regulations, to be expended under the supervision of the Secretary of State, notwithstanding the provisions of sections 1763, 1764, and 1765 of the Revised Statutes, and section 2, act of July 31, 1894, \$3,000.

Mr. PLATT of Connecticut. I presume it may not be necessary or important, but I see that this amendment provides for preparing a new edition of the Consular Regulations, notwithstanding some statute that is in force. I wish there were a little explanation of that feature.

Mr. HALE. The money is to be expended, notwithstanding those provisions of the statute.

Mr. PLATT of Connecticut. What is the provision of the statute which forbids the expenditure now? Why should we repeal that statute in this way?

Mr. HALE. Because the work is to be done by persons already in the Department and drawing salaries.

Mr. PLATT of Connecticut. Oh!

Mr. HALE. It is to piece out.

Mr. PLATT of Connecticut. The statute referred to provides that persons shall have no extra compensation when they already hold office.

Mr. HALE. Yes, sir.

Mr. PLATT of Connecticut. This is extra work?

Mr. HALE. Yes, sir; extra work. It was put in in order that there may be no secrecy about it and it may be understood.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations. The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was in Schedule B, under the subhead "Salaries, consular service, consuls-general," on page 16, line 18, before the word "Rome," to insert "Monterey;" and in line 20, before the word "thousand," to strike out "twenty-seven" and insert "thirty;" so as to make the clause read:

Apia and Nukualofa, Barcelona, Dresden, Frankfort, Guayaquil, Monterey, Rome, St. Gall, Saint Petersburg, and Marseilles, at \$3,000 each, \$30,000.

The amendment was agreed to.

The next amendment was, on page 16, line 21, after the word "Hamburg," to strike out "Monterey" and insert "Munich;" so as to make the clause read:

Auckland (New Zealand), Coburg, Hamburg, Munich, and Rotterdam, at \$2,500 each, \$12,500.

The amendment was agreed to.

The next amendment was, on page 16, line 24, before the word "Tangier," to strike out "Munich," and on page 17, line 2, before the word "thousand," to strike out "ten" and insert "eight;" so as to make the clause read:

Guatemala City (Guatemala), Maracaibo, Tangier, and Santo Domingo, at \$2,000 each, \$8,000.

The amendment was agreed to.

The next amendment was, on page 17, line 5, to increase the total appropriation for salaries of consuls-general from \$143,000 to \$144,000.

The amendment was agreed to.

The next amendment was, under the subhead "Consuls," in class 3, page 18, after line 22, to insert:

Santiago de Cuba.

The amendment was agreed to.

The reading of the bill was continued to the end of line 2 on page 19.

Mr. HOAR. I am obliged to go away, and I ask consent to move an amendment.

Mr. HALE. It does not come in strictly until after the reading of the bill has been finished, but as the Senator is called away I shall not object.

Mr. HOAR. It is estimated for. I refer to Fuchau, China.

Mr. HALE. It is in the estimates.

Mr. HOAR. I move, after line 15 on page 17, to insert "Fuchau, China," and if that motion is agreed to, I shall move to strike out the same words in line 6, page 18. The Senator from Maine makes no objection to my moving the amendment at the moment, as I must leave the Chamber. It is regularly estimated for.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be stated.

The SECRETARY. On page 17, after line 15, insert:

Fuchau, China.

The amendment was agreed to.

Mr. HOAR. Now, on page 18, I move strike out, after line 5, the words "Fuchau, China."

Mr. HALE. That is right.

The amendment was agreed to.

Mr. PLATT of Connecticut. I wish to propose a somewhat similar amendment, but I can wait until the reading of the bill is concluded if it is desired.

Mr. HALE. In this case it is done because the Senator from Massachusetts is called from the Chamber. Otherwise individual amendments will come in when the reading of the bill is concluded.

Mr. PLATT of Connecticut. Very well.

The PRESIDENT pro tempore. The reading of the bill will be resumed.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in class 4, page 19, after line 5, to insert:

Amsterdam, Netherlands.

The amendment was agreed to.

The next amendment was, on page 19, after line 10, to insert:

Beirut, Syria.

The amendment was agreed to.

The next amendment was, in class 5, page 20, after line 18, to strike out:

Amsterdam, Netherlands.

The amendment was agreed to.

The next amendment was, on page 20, after line 21, to strike out:

Beirut, Syria.

The amendment was agreed to.

The next amendment was, on page 20, after line 24, to insert:

Breslau, Germany.

The amendment was agreed to.

The next amendment was, on page 23, after line 10, to insert:

Sydney, Nova Scotia.

The amendment was agreed to.

The next amendment was, on page 23, after line 11, to strike out:

Tamsui, Formosa.

The amendment was agreed to.

The next amendment was, on page 23, after line 20, to insert:

Warsaw, Poland.

The amendment was agreed to.

The next amendment was, on page 23, line 23, after the word "Yarmouth," to insert "Nova Scotia;" so as to read:

Yarmouth, Nova Scotia.

The amendment was agreed to.

The next amendment was, in Clause VI, on page 24, after line 8, to strike out:

Breslau, Germany.

The amendment was agreed to.

The next amendment was, on page 26, line 13, after the word "Stanbridge," to insert "Canada;" so as to read:

Stanbridge, Canada.

The amendment was agreed to.

The next amendment was, on page 26, after line 15, to strike out:

Sydney, Nova Scotia.

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to insert:

Tamsui, Formosa.

The amendment was agreed to.

The next amendment was, in Schedule C, on page 27, line 13, to increase the total appropriation for the salaries of consuls from \$470,000 to \$476,500.

The PRESIDENT pro tempore. Will it not be necessary to correct the total, on account of the change made by the amendment offered by the Senator from Massachusetts?

Mr. HALE. I ask that the clerks may fix the total.

The PRESIDENT pro tempore. The clerks will adjust it, then.

The SECRETARY. In line 13, page 27, it is proposed to strike out "seventy thousand" and insert "seventy-seven thousand;" so as to make the total read "four hundred and seventy-seven thousand dollars."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Salaries of consular clerks," on page 27, line 15, to increase the number of consular clerks at \$1,200 each from 8 to 10; in line 16, to increase the appropriation for the salaries of consular clerks from \$9,600 to \$12,000; in line 17, to reduce the number of consular clerks at \$1,000 each from 5 to 3; in line 18, to reduce the appropriation for the salaries of consular clerks at \$1,000 each from \$5,000 to \$3,000, and in line 19, to increase the total appropriation for the salaries of consular clerks from \$14,600 to \$15,000.

The amendment was agreed to.

The next amendment was, under the subhead "Allowances for clerk hire at United States consulates," on page 28, after line 5, to insert:

Hongkong, \$2,200.

The amendment was agreed to.

The next amendment was, on page 28, line 14, before the words "Rio de Janeiro," to strike out "Hongkong," and in line 16, before the word "hundred," to strike out "four thousand eight" and insert "three thousand two;" so as to make the clause read: Rio de Janeiro and Shanghai, at \$1,600 each, \$3,200.

The amendment was agreed to.

The next amendment was, on page 28, after line 16, to strike out:

Antwerp and Manchester, at \$1,500 each, \$3,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 18, to insert:

Antwerp, \$1,500.

The amendment was agreed to.

The next amendment was, on page 28, after line 19, to insert:

Monterey, \$1,400.

The amendment was agreed to.

The next amendment was, on page 29, after line 7, before the word "Naples," to strike out "Monterey," and in line 11, before the word "hundred," to strike out "twenty-one thousand six" and insert "twenty thousand eight;" so as to make the clause read:

Beirut, Canton, Cape Town, Colon, Dawson City, Dresden, Dundee, Guayaquil, Kingston (Jamaica), Leipsic, Maracaibo, Melbourne, Messina, Naples, Palermo, Panama, Port au Prince, Singapore, Smyrna, Sydney (New South Wales), Tangier, Toronto, Tunstall, Vancouver, Vera Cruz, and Victoria, at \$800 each, \$20,800.

The amendment was agreed to.

The reading of the bill was continued to the end of line 12 on page 29.

Mr. HALE. After line 12, on page 29, I move to insert "Stockholm, \$750."

The amendment was agreed to.

Mr. HALE. We will change the total when we reach it.

The next amendment was, on page 30, line 1, to increase the total appropriation for clerk hire at United States consulates from \$93,950 to \$94,250.

Mr. HALE. Let the total there be changed to conform to the previous change.

The SECRETARY. In line 1, page 30, it is proposed to strike out "ninety-three thousand nine hundred and fifty" and insert "ninety-five thousand."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of interpreters to consulates in China, Korea, and Japan," on page 30, line 14, to increase the appropriation for interpreters to be employed at consulates in China, Korea, and Japan, to be expended under the direction of the Secretary of State, from \$15,000 to \$17,500.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PLATT of Connecticut. On page 16, line 21, I move to strike out the word "Coburg," and to insert it on the same page, line 17, after "Barcelona."

Mr. BERRY. What is the effect of that amendment, Mr. President?

Mr. PLATT of Connecticut. The effect is to increase the salary of the consul-general at Coburg \$500.

Mr. BERRY. How much is it now?

Mr. PLATT of Connecticut. It is \$2,500. It is estimated for. If the Senator desires, I should like to read what is said in the estimates.

Mr. HALE. I looked the matter up. It is not subject to a point of order, because it is estimated for by the Department, and they state that there is actual need of this increase.

Mr. BERRY. I had no idea of making a point of order, but as I had gone over the bill, being on the subcommittee, and we had the salary fixed at \$2,500, I wanted to know if there was a good reason for the change. However, if the Senator from Maine does not object, I shall not interpose. He is familiar with the matter.

Mr. HALE. I do not object to the amendment.

The amendment was agreed to.

Mr. PLATT of Connecticut. There is one other amendment—The PRESIDENT pro tempore. The Senator will allow the total to be corrected.

Mr. PLATT of Connecticut. The total should be corrected.

The SECRETARY. In line 5, page 17, correct the total so as to read "\$44,500."

Mr. PLATT of Connecticut. It adds \$500 to the total.

The amendment was agreed to.

Mr. PLATT of Connecticut. On page 29, line 7, I move to



strike out "Naples" and to insert it before the word "Nuremberg," in the first line on page 29. This is an addition of \$200 for clerk hire at Naples, an increase from \$800 to \$1,000. I wish to state that Naples, under our immigration system, is a very important point.

The amendment was agreed to.

The SECRETARY. Change the total in line 11 by striking out "twenty thousand eight hundred," before "dollars," and inserting "twenty-one thousand."

The amendment was agreed to.

Mr. ALDRICH. On page 27, after line 4, I move to insert "Colonia, Uruguay."

Mr. HALE. It is changing a fee consulate to a salary consulate; that is all.

The amendment was agreed to.

Mr. HALE. The total will have to be changed.

The SECRETARY. Change the total, in line 13, from "\$77,000" to "\$78,000."

The amendment was agreed to.

Mr. BURROWS. On page 20, after line 18, I move to insert "Amherstburg, Canada," and in line 6, page 24, I move to strike out the words "Amherstburg, Canada."

The amendment was agreed to.

The PRESIDENT pro tempore. The total will be changed by adding \$500, so as to correspond with the amendment just agreed to.

Mr. LODGE. I offer an amendment to come in at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary proceeded to read the amendment submitted by Mr. LODGE.

Mr. GALLINGER. Mr. President, for the purpose of saving the time of the Senate, I make a point of order against the amendment. It is general legislation.

Mr. LODGE. I do not think the Senator can take me from the floor and not allow me to speak. I have the floor.

Mr. GALLINGER. I have no objection to the Senator making a speech.

Mr. LODGE. I have offered the amendment and I have the floor. A point of order can not be made until I have yielded the floor.

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. GALLINGER. Very well.

The Secretary resumed and concluded the reading of the amendment, which was to add to the bill the following additional section:

SEC. —. That the consular system of the United States be reorganized in the manner hereinafter provided in this act, and that the rules and regulations necessary to carry out this reorganization shall be left to the discretion of the President of the United States, except as otherwise provided in this act; and that the plan of reorganization shall be completed and such reorganization begun within the period of one year from the date of its passage.

SEC. —. That the offices of vice-consul-general, deputy consul-general, vice-consul, deputy consul, and commercial agents shall be filled by appointment, as heretofore, except that whenever, in his judgment, the good of the service requires it, consuls of the fourth, fifth, and sixth classes, provided for in the third section of this act, may be designated by the President to act as vice-consul-general, deputy consul-general, vice-consul, and deputy consul, and, when so acting, shall be eligible for promotion equally with other consuls of the fourth, fifth, and sixth classes. Vice-consuls may be appointed to perform the functions now performed by consular agents, which grade shall then cease, and such vice-consuls so appointed shall receive as salary an amount equal to the average compensation received by them respectively during the three years next preceding the passage of this act, but in no instance less than \$100 per annum. Commercial agents shall be brought into the classification of the service under this act: *Provided, however*, That nothing in this act shall apply to consular officers holding diplomatic positions.

SEC. —. That there shall be not more than 2 consuls-general of the first class, at \$10,000 each per annum; not more than 8 consuls-general of the second class, at \$8,000 each per annum; not more than 13 consuls-general of the third class, at \$6,000 each per annum; and not more than 13 of the fourth class, at \$5,500 each per annum. That there shall be not more than 37 consuls of the first class, at \$5,000 each per annum; not more than 35 consuls of the second class, at \$4,000 each per annum; not more than 60 consuls of the third class, at \$3,000 each per annum; not more than 40 consuls of the fourth class, at \$2,500 each per annum; not more than 30 consuls of the fifth class, at \$2,000 each per annum; not more than 50 consuls of the sixth class, at \$1,800 each per annum.

SEC. — That all fees, official or unofficial, received by any officer in the consular service for services rendered in connection with the duties of his office or as a consular officer, shall be accounted for and paid into the Treasury of the United States, and the sole and only compensation of such officers shall be by salaries fixed by law. And vice-consul-general, deputy consul-general, vice-consul, and deputy consul shall hereafter receive such compensation as shall be provided for by law, and they shall not be compensated by any portion of the salaries of consul-general or consuls.

SEC. — That within one year after the date of the passage of this act the President shall classify the consulates-general and the consulates in accordance with the provisions of section 3.

SEC. — That immediately after the classification required by the foregoing section shall have been made the incumbents of the consulates-general, consulates, and commercial agencies who are included in the provisions of this act then holding office shall be assigned by the President to the various classes as nearly as possible in accord with the compensation they were receiving and the business of the office when said classification was made.

SEC. — That a consul-general or a consul may be transferred by the President's order from one place to another in the same class, according to the needs of the service, and a consul-general or consul may, in like manner, be

assigned to act temporarily in a class above or below that in which he holds his commission, and his salary shall not be affected by such temporary assignment; but no consul-general or consul shall be appointed or transferred to a country in which the United States exercises extraterritorial jurisdiction until he shall have passed an examination in the fundamental principles of the common law, the rules of evidence, and the trial of civil and criminal cases.

SEC. —. That every consular officer of the United States is hereby required (whenever he is applied to or it becomes necessary or proper to do so) at the post, port, place, or within the limits of his consulate, to administer to or take from any person any oath, affirmation, affidavit, or deposition, or to perform any other notarial act which any notary public is required or authorized by law to do within the United States; and for every such notarial act performed he shall charge in each instance the appropriate fee prescribed by the President under section 1745, Revised Statutes.

SEC. —. That every consular officer shall be provided and kept supplied with adhesive official stamps on which shall be printed the equivalent money value of denominations and to amounts to be determined by the Department of State, and shall account quarterly to the Department of State for the use of such stamps and for such of them as shall remain in his hands.

Whenever a consular officer is required or finds it necessary to perform any consular or notarial act he shall prepare and deliver to the party or parties at whose instance such act is performed a suitable and appropriate document as prescribed in the consular regulations and affix thereto and duly cancel an adhesive stamp or stamps of the denomination or denominations equivalent to the fee prescribed for such consular or notarial act, and no such act shall be legally valid within the jurisdiction of the Government of the United States unless such stamp or stamps is or are affixed and canceled.

SEC. —. That all acts or parts of acts inconsistent with this act are hereby repealed.

Mr. LODGE. Mr. President, the amendment which has just been read, and which was reported favorably from the Committee on Foreign Relations, is a portion of Senate bill 1618, and which stands at the head of the Calendar under Rule IX. "A bill to provide for the reorganization of the consular service of the United States." The amendment is only a small portion of that bill, and I wish, therefore, at the outset, to say a word in regard to the bill itself.

This bill was reported first from the Committee on Foreign Relations by the Senator from Alabama [Mr. MORGAN] in 1895, together with a very able report, in which he considered the needs of the consular service very fully and compared our system with that adopted in other countries. Since that time I have reported the same bill, in substance, from the Committee on Foreign Relations, I think, five times. It has received the steady support of that committee, and I embodied in the report which was made last year the report of the Senator from Alabama in 1895; and that portion of it I shall ask leave to append to what I shall say this afternoon.

I am not one of those, Mr. President, who share in the belief that our consular service is either a bad or an inefficient one. I have no sympathy with the indiscriminate attacks which have been made recently elsewhere upon our consular service; but I am also very far from believing that it is beyond improvement. Always an important service to the business interests of the United States, in the last four or five years, with the very extraordinary growth of our export trade, the consular service has assumed an importance to our business interests which can hardly be overestimated; and the effort which has been made by the Committee on Foreign Relations of the Senate to make some improvements in the service has originated with and been stimulated by the business men of the country, acting through their chambers of commerce and their boards of trade.

The defects in our consular system are not in the actual personnel at any given time, but in the lack of permanency of tenure, and in the failure to advance the best trained men in the service to the more important posts as they grow in experience and therefore in value.

The value of a consul to the business interests of the United States, other things being equal, is almost in exact proportion to his length of service. A man who goes to a foreign country where another language is spoken, if he is a diligent and ambitious man, eager to succeed, is obliged to consume a large portion of his time at the start in fitting himself for the post which he occupies, and in making it possible to be useful. He has everything to learn. When he has learned the language and customs and business needs of the country and has become a really valuable consul, if there is a change of parties at home, as a rule he goes, and a new man comes in who is obliged to learn the same things all over again before he can become effective.

We have, I think, at present, as a whole, a very excellent consular service. There are undoubtedly some very undesirable consuls, some not fitted for their posts, some who are careless of their duties, and are no credit to the country. There will be a percentage of such consuls in the service under any system that can be devised. There is always, in any service, public or private, a certain percentage of inferior men. That, however, is not the evil the bill was intended to reach, for the bill does not aim at an impossible perfection in human nature, but at a practical improvement of the consular service as a whole.

What I desire to see, and what I believe would be greatly in the interests of the business of the United States, is, so far as possible, to have a body of men as consuls the mass of whom have had

some training in the service, who understand foreign languages, and who realize that when they enter the service there is a fair opportunity for regular promotion. Instead of taking an entirely new man and putting him into a post of the highest importance it would be better if he could be put into one of the posts of less importance and some man better trained and of longer experience advanced to the more important place.

It is to meet that difficulty, to bring about that improvement, that this amendment was drawn. The purpose of it is to grade the consuls and in some degree to equalize the salaries.

To-day the salaries of the consuls are simply chaos. At some posts the consuls receive a very large compensation, while at others they are very inadequately paid. The only thing that is ever done in regard to salaries is in the Senate, when individual Senators who know the needs of some particular consulate exert themselves from time to time to get an advance in its pay. The result is that all the salaries of consuls are arranged at haphazard, without much relation to the duties of the office; and if a consulate is properly paid it is largely owing to the fact that there is some member of the House or some Senator who has taken the pains to secure a proper compensation for that particular consulate.

The trouble is still further enhanced by the fact that we retain, in part, at least, the fee system, and the fee system wherever applied in Government business is wasteful. It is not sound economically. It never leads to good results.

In the old days consuls were paid exclusively by fees. That was abandoned or abolished, fixed salaries were substituted, and the consular fees turned into the Treasury. But there were in addition a large amount of fees not strictly consular, generally known as notarial fees, paid for such services as witnessing deeds or other papers to which their signature was necessary and for which they charged a fee to the American citizens who came into their offices requiring such authentication. Some of the consulates receive a large amount of money from those notarial fees; others receive little or nothing. Some of the places at which we have consuls where the notarial fees are of small consequence are posts of great importance, where it is very necessary we should have a consul, where the consul is often called upon to exercise diplomatic functions, and yet, owing to the fact that there are few Americans there, either as travelers or on business, his notarial fees are small, and he receives a salary wholly inadequate for the duties of his post.

Therefore, Mr. President, to my mind the present system presents two very great evils. One is the absence of all grades—that is, of all possibility of regular promotion—and the other is the lack of a proper and systematic arrangement of salaries. I think this condition is against the business interests of the country and tends to cause poor service.

I myself should like to go much further in the reorganization of the consular service than this amendment. I should like to see the service put on an entirely different basis. It is a service, to my mind, in which political appointments are more out of place than probably in any other branch of the Government service. The men appointed to the consulates go out of the country; they can by no possibility take any part in politics; they are separated entirely from political matters here; they are in a foreign country to represent American interests. Their office is one in which there should be no politics of any kind, and it seems to me that of all the branches of the Government service this is the one which more than any other should be put upon a strictly business basis. It is with that view that the Committee on Foreign Relations has year after year reported this bill.

That this bill may not be thought merely the scheme of some doctrinaire or of some one eager for an unreasoning and unreasonable extension of the classified service, I should like to call the attention of the Senate to the names of the gentlemen who appeared before us and to what they represented. The hearing is printed as an appendix to the report of the Committee on Foreign Relations. The first statement was made by Mr. Harry A. Garfield, who represented the Chamber of Commerce of Cleveland, Ohio; the next was by Mr. Gustave Schwab, who represented the Chamber of Commerce of New York; the next was by Mr. John W. Ela, who represented the National Business League; the next was by Mr. W. R. Warner, a large manufacturer; the next was by Mr. S. A. Harris, of Minneapolis, a banker and business man there with large interests; the next was by Mr. Charles P. Moser, who represented the Chamber of Commerce of Auburn, N. Y. These gentlemen were a committee from the national convention of boards of trade of the United States, and they came here as such representatives.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. BEVERIDGE. I desire to know whether this national convention of all the boards of trade throughout the country

passed a resolution or took affirmative action upon this subject on consular reform, and if these gentlemen came as representatives in pursuance of such formal act by that convention?

Mr. LODGE. Mr. Garfield stated that the movement started with the Cleveland Chamber of Commerce. He said:

All of those things being impressed upon our minds, the Cleveland Chamber of Commerce, along with almost all of the chambers of commerce of the country, in 1898 took part in urging the introduction of a bill for the reorganization of the service.

And those chambers of commerce—not in convention here, but the chambers of commerce throughout the country—sent a committee to represent them. I am giving simply the names of the committee; but they spoke as representing the chambers of commerce throughout the country.

Mr. BEVERIDGE. I understood the Senator to say that they represented a convention of the chambers of commerce in our country.

Mr. LODGE. No. I was in error in speaking of a national convention.

Mr. BEVERIDGE. I thought that was rather remarkable.

Mr. LODGE. No action was taken in convention. The action was taken by each of the chambers of commerce separately; but they passed resolutions, and those resolutions are in the files of the Foreign Relations Committee. We did not have them printed. Those resolutions represent almost every chamber of commerce in the country in regard to the subject; and this committee came here representing those chambers of commerce. They have been here more than once. The particular hearing which is printed here occurred, I think, two years ago, during the last Congress, but those gentlemen have been here again this year. They have been here every year now for three or four years. They have appeared before the committee of the House of Representatives and also before the Committee on Foreign Relations of the Senate. Their motive is simply the extension of American commerce and a good consular service. They regard the consular service as an extremely important instrument in seeking and promoting that extension. Their desire is to get a consular service which shall be most efficient in bringing about that result. They desire the passage of the bill which the committee have reported.

That bill provides for a system of examination of candidates for the consular service, for their appointment to the lower grade of consuls, and then for their promotion through the higher grades. It provides also in a general way some of the qualifications which the business men of this country seemed to think were especially necessary for the purpose they had in view. But that bill, Mr. President, as I have already said, once reported by the Senator from Alabama [Mr. MORGAN], and, I think, five times reported by myself, has never made any progress after it reached the Calendar. The committee did not prove to be its grave, but the Calendar did.

This year, Mr. President, it seemed to me desirable to offer an amendment leaving out entirely the feature of examination, to which many of the Senators strongly object, and merely to bring in a proposition for the grading of consuls, for the equalization of salaries, and then with an addition, which is not in the bill, being a provision that stamps should be affixed upon each document receiving the notarial certification of the consul, so that thereby a proper return might be made to the State Department.

Mr. PLATT of Connecticut. May I make a statement?

Mr. LODGE. Certainly.

Mr. PLATT of Connecticut. I suppose that the Senator has in mind—he says he has—the permanency of the service of our consular officers?

Mr. LODGE. I have.

Mr. PLATT of Connecticut. And this grading, I suppose, looks to their being promoted from lower grades to higher service. But has the Senator anything in this bill that provides for that?

Mr. LODGE. Nothing. That portion was left out. I attempted only in this amendment to bring forward the very simplest, and, as it seemed to me, the most necessary, improvement to be made—that is, to get a grading of the consuls in classes, with a view to equalizing the salaries and giving an adequate compensation in proper proportion to the duties performed. I think that would have a tendency undoubtedly to encourage promotion, and that when a vacancy occurs in one of the more important consulates the tendency would be to promote the man older in the service and put the new man at a less important consulate. But the amendment requires nothing of that kind.

Mr. PERKINS. I will state, if the Senator please, that that is the present rule introduced by an Executive order of President Cleveland. No one is now eligible for appointment unless he undergoes and passes a satisfactory examination; and consuls are also given precedence for promotion, thus carrying out the very plan proposed by the Senator from Massachusetts, which we all endorse so heartily.

Mr. LODGE. The Senator from California knows that the



order of President Cleveland only applied to pass examinations for persons entering the service. You can not promote in a service where there are no grades; you can have no regular system of promotion without a graded service. In order to have a system of promotion, you must have regular grades. Undoubtedly you can give one man who has got a poor consulate a better one, but no regular promotion.

Pretty much all our civil service is graded, and, in my judgment, wisely so. I think that the consular service would be greatly improved if it could be understood that in case of meritorious service promotion should follow. We have some cases where that has happened. For example, the consul-general at Berlin, who has been in the service many years under both Democratic and Republican Presidents, who distinguished himself very early in his service, has been gradually advanced until he is now consul-general at one of the most important points in Europe, and I think anyone who knows anything about the service will admit that Mr. Mason, at Berlin, is one of the very best consuls in the service of the United States. Setting aside his natural capacity and ability for the moment, there can be no doubt that his long training in different posts has been of the utmost value and has enhanced his worth and the benefit he has been able to give to the business interests of the country.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Indiana?

Mr. LODGE. Certainly.

Mr. BEVERIDGE. I dislike to interrupt the Senator, but the subject which is being discussed is one to which I have given considerable thought and investigation, both in reading and otherwise. I am with the Senator upon his proposition, except as to one point; and that is this: I have observed, and I think everybody else has observed, that when a man has been in one place for a length of time his energy gives place to indolence; he gets familiar with the situation, and he rests on his oars. If he feels that he is going to be there for good, his pushing power in the public interest is minimized.

I have always said, and said it not alone upon this subject, that if a law could be provided which would accomplish continuousness of service, and yet which would prevent diminution of interest and energy of the consul, that would be the thing. But the trouble with a measure of this kind has always appeared to me to be that in accomplishing length of service, in achieving experience, a consul destroys his initiative; so that we find when a consul goes to a place with fresh surroundings he goes there full of the peculiar energy and desire to push American commercial interests, and he does so exceedingly well for four or five years. In comparison with the action, for instance, of the English consul at a very important oriental point which I have in my mind, where an English consul has a permanent place, and where, therefore, his energy lags and he gets in the rut of service, the action of the American consul is very marked. Now, what I call the attention of the Senator to is this: How does the Senator propose to prevent the evil which all students of this question see in continuousness of service? I admit fully the virtue of what the Senator has been speaking about, and I have no doubt the Senator will also admit the danger that comes from the circumstances to which I call his attention. But I have not heard the Senator upon that.

Mr. LODGE. I entirely agree with that; and I was coming to that point.

Mr. BEVERIDGE. Very well.

Mr. LODGE. I did not mean by what I said on permanency of tenure to imply that we ought to keep a consul in one place indefinitely. I think nothing could be more injurious to the service than that. I should like to see promotion made compulsory. Anything that would tend to compulsory promotion would also tend to facilitate moving consuls from one place to another and would be of vast advantage to the service. To keep a consul in one place all the time results exactly as the Senator from Indiana has described; and that is what happens now in a large number of instances.

If consuls are retained, as a certain proportion of Republicans are retained through a Democratic Administration and Democrats through a Republican Administration, they are retained almost invariably in the places to which they were originally appointed. They stay on year after year and year after year in the same positions until ambition and hope are dead and a dull routine succeeds to energy and activity. One of the prime objects of grading is to get rid of the immobility which now exists in regard to all consuls who are retained for any length of time. It is extremely desirable that some method should be found by which a consul who has shown himself by service at one post to be a good man could be moved to another, because the new post will encourage him to fresh efforts, and I think such a system would keep the service active and alive.

Mr. President, I did not intend with this amendment to solve all the difficulties or all the troubles which exist in the consular service. The bill seeks to do that, and I think very wisely. I am heartily in favor of the bill. This is merely an attempt to get a small improvement; that is all. The purpose of this amendment is only to get the consular service graded, to get the salaries fixed, to abolish fees—all fees—to equalize salaries, to open the door to promotion, so that the Department may have some method of promoting and a better opportunity than it now has.

The amendment is very insufficient—nobody is more aware of it than I am—for the purposes which I think ought to be attained by a comprehensive measure; but I nevertheless think it would be valuable to our business interests. It would not interfere with the appointment of anyone to the consular service by the present undesirable methods. It does not interfere in the least with that. It simply provides that the consuls shall be graded in certain classes; that they shall be paid on a schedule which the amendment proposes, and which has been carefully prepared by the State Department; that fees shall be abolished; that all fees shall be turned into the Treasury, and that the amount of the fees received shall be made as certain as possible by the issuance of stamps which would have to be cancelled or returned.

That last provision about stamps was not in the bill. It is one that was added at the suggestion of the Department. The Department believe that the return of notarial fees is extremely imperfect—whether owing to carelessness or intention it is not necessary to discuss—but they believe that there are large amounts of notarial fees which are not returned. Those fees the consul has the right to keep, but if he fails to return them it at once destroys all accuracy in the knowledge of the Department and the possibility even of their knowing what the consulate is really worth or what the business of the consulate amounts to. If you can get rid of the fees, have them properly returned to the Treasury by the simple system of stamps on all documents to serve as a check, you will get a better return in money from your consulates; you will pay your consuls more accurately and more justly; the men who deserve an increase of salary will get it; and they will all get it instead of an occasional man here and there whom we each of us happen to pick out in the rush of business and get through on an amendment when the appropriation bill comes up.

Mr. President, I have offered this amendment simply as a means of making what I consider a real improvement in the consular service. I am quite aware that the point of order lies against it, but I wished to say what I have said by way of explanation both of the bill and of the amendment and of their purposes. I am sorry that the Committee on Appropriations could not agree with the Committee on Foreign Relations to put it on the bill; but I hope in the future they will see their way to taking steps toward some of these improvements.

I have said all I desire to say on this subject, and I will only ask leave to print as a part of my remarks that portion of the report of the Committee on Foreign Relations which contains the original report of the Senator from Alabama [Mr. MORGAN].

The matter referred to is as follows:

The Committee on Foreign Relations, to whom was referred the bill (S. 1618) to provide for the reorganization of the consular and diplomatic service, submit the following report, as presented at the last session of Congress (Rep. 1902):

The following report was made by Mr. MORGAN on February 6, 1895, to accompany a similar bill when it was reported to the Senate at that time. It covers so many of the essential points in regard to the proposed reorganization that it is here reprinted:

"The consular service of the United States, like that of other nations, developed gradually out of the necessities of commerce and the willingness of merchants in foreign countries to represent other governments than their own, and to discharge certain fiscal and other duties for the sake of the fees to be collected for such services. While the other great commercial nations of the world have at intervals down to recent times been active in the improvement of their consular service, in order to meet satisfactorily the exigencies of a steadily increasing competition in international trade, the consular system of the United States has remained practically unchanged since the time it was called into existence on a small scale by the acts of July 1, 1790, and of April 14, 1792, and kept alive by a number of subsequent unimportant acts.

"The act 'to remodel the diplomatic and consular system' of March 1, 1855, is entitled to be regarded as an improvement only so far as it slightly enlarged the service and corrected certain abuses therein by a closer supervision of the fees. It in no way, however, effected a change in the principle of consular representation or in the system of appointment. Apart, therefore, from the act of June 20, 1864, which provided for the establishment of a small body of 13 consular clerks with a permanent tenure of office, a measure which at its inception was intended to form the nucleus of an entire reform of the service on that basis, this institution, so important to our foreign trade, has suffered the oversight and indifference of Congress.

"This neglect is the more striking and the less excusable when our foreign trade of half a century ago is contrasted with that of to-day. In 1850 the combined value of our imports and domestic exports amounted to \$308,409,756; in 1893 it reached the figure of \$1,697,431,707. But notwithstanding these present vastly increased and far more intricate commercial relations indicated by these figures, no step whatever to increase the efficiency of the consular service, to which the direction and fostering of these relations are intrusted, has been taken. That this has entailed a great loss annually to our foreign trade can not be questioned; that there is also an urgent necessity to correct this want of efficiency is equally apparent.



"Even more applicable to the industrial and commercial conditions of to-day, but with reference to those of a decade ago, Secretary Frelinghuysen said in 1884:

"Until recently the demands of Europe, which consumed the greater portion of our exports, and the condition of the producing countries were such as to give us control in the supply of certain products, such as breadstuffs, provisions, cotton, petroleum, etc. The demands of Europe for all these products, and of the other continents for petroleum especially, were so positive and our producing conditions so favorable as to give us practically a monopoly for their supply.

"These conditions of international demand and supply are undergoing radical changes, which the near future will intensify.

"The efforts which have been made and which are being made by Europe to enlarge the field of supply in the above-mentioned products, aided by the ambition which prevails in all countries for the development of natural and artificial resources to meet their own wants and to supply the wants of others, have resulted in awakening competition for the supply even of those products which we have heretofore controlled. It is true that thus far this competition has not affected our trade to any appreciable extent, but the desire for development which is now abroad and the ambition which prevails to increase the production (outside of the United States) of the foregoing articles render consular supervision of absolute importance. The complex commercial relations and industrial interests which now prevail in Europe have originated hostility to American products in many countries, and afford additional reasons for the enlargement and perfection of the consular service."

"In 1888 Mr. Cleveland, in his message to Congress, expresses himself to the same effect when he says: 'The reorganization of the consular service is a matter of serious importance to our national interests,' and in 1893 he again refers to the subject as follows:

"During my former Administration I took occasion to recommend a re-  
cast of the laws relating to the consular service, in order that it might become a more efficient agency in the promotion of the interests it was intended to subserve. The duties and powers of consuls have been expanded with the growing requirements of our foreign trade. Discharging important duties affecting our commerce and American citizens abroad, and in certain countries exercising judicial functions, these officers should be men of character, intelligence, and ability."

"In addition to these expressions from a high official source, the necessity of a reform has been recognized by men of letters, eminent statesmen, journalists, and important boards of trade of this country.

"It must be admitted that the present management of our foreign service is burdened with many drawbacks to its efficacy by considerations that relate to domestic politics. Partisan policy, when strictly carried out in making appointments in our foreign service, has no other meaning than that the consular offices are primarily regarded as rewards for political services. The real capacity and usefulness of a consul is too often a secondary consideration.

"This important and indispensable part of the machinery by which our foreign intercourse is conducted is often employed to pension political favorites. That to subserve the interests of the service ought to be the sole end in view in the selection of incumbents can not be disputed. To consider the offices merely as sources from which these partisan officeholders may derive four years of maintenance is as absurd as it would be to construct a navy to defend the country and to intrust its command to landsmen without experience for whom we might desire to provide a living and comfortable quarters.

"Such a purpose, or one not more gratifying, has often been put into practice in our diplomatic and consular service. To protect and promote in time of peace our varied foreign interests through the agency of a trained personnel is not a less important subject for legislative consideration and provision than in time of war to defend them by the most efficient means at our command.

"The object of this act is to provide a system by which persons shall be trained for the duties of the consular service, so that they shall be able to perform them in the best possible way at a reasonable expense to the Government. That this can not be obtained without removing the selection of persons for this service from the control of party politics is shown by our experience, if any proof were required to establish a conclusion so entirely true and indisputable.

"Fitness of the candidate, permanency of tenure during good behavior, and an impartial method of selection and to govern promotion as reward for efficiency are the principles on which a useful consular service can alone be based with an expectation of the best results.

"Under our present system a consular or diplomatic officer has no sooner familiarized himself with the duties of his office and begun to acquire a knowledge of its business and fitness for his duties than he is removed to make room for another novice, who is likewise superseded as soon as his experience begins to enable him to discharge the duties of his office to the satisfaction of himself and others. Thus, in one generation the same post is frequently filled by a number of men, who are successively displaced as soon as they have learned to transact the business of their offices with something of professional knowledge and skill.

"This system is not only unjust to the people, but it is equally unjust to the agents, who are thrown back upon their own resources just at the time when a three or four years' preparation has fitted them to devote their energies and capacity with advantage to the foreign service.

"To compete successfully with the agents of foreign powers, and to conduct advantageously the political and commercial affairs of our own country, the appointee to this service should be familiar not only with the laws, customs, industries, manufactures, and natural products of our own land, but they should be instructed in the laws, pursuits, language, the contributions to commerce, and the character of the people to whom they are accredited. To this should be added a competent knowledge of the law of nations and of commercial law. As long as these officers are transferred from pursuits and associations which have no connection with commerce or the foreign service, however able and skillful they may be in other things, they can not possess the special knowledge and skill which will render their labors either useful or creditable to the consular service.

"The foreign service of European governments for many years has been the object of careful solicitude on their part. An outline statement of them will better enable us to understand the disadvantage we suffer from a defective system.

"The French consular service is composed of—

40 consuls-general, at a salary each	\$3,600
50 consuls of the first class, each	2,800
80 consuls of the second class, each	2,000
100 vice-consuls	1,400
24 pupil consuls	800

"The conditions for admission to the diplomatic and consular service of France are prescribed in a decree of October 15, 1892, and, to show how im-

portant France considers its foreign service, attention is called to the fact that over thirty decrees have been issued since 1880 tending to perfect the system.

"The pupil consuls are appointed by the minister of foreign affairs. They can only be drawn from the body of attachés on probation who have passed a competitive examination for admission into the service and who have served not less than one year in the home office.

"Before being assigned to a diplomatic or consular post they are required to spend at least one year at one of the principal chambers of commerce, where they are to acquire a thorough knowledge of the methods and needs of commerce, and whence they must send the minister periodical reports on the trade of the district. After three years of service, half of which time must be rendered abroad, the pupil consul becomes eligible for vice-consul, and after a service of three years in each subsequent grade he becomes eligible for promotion to a higher one.

"Candidates for admission in the French diplomatic and consular service must be under 27 years of age and must have taken a collegiate degree in law, science, or letters, or must have passed certain other examinations, or be the holders of commissions in the army or navy.

"The examination for entrance into the service is either written or oral, as may be required.

"The written test consists of a composition on public and private international law and a translation into French from English and German, which is dictated. Those candidates who aspire to the diplomatic career are to write also a composition on a subject of diplomatic history that occurred since 1648; those destined for the consular service must write a composition on a subject of political economy or of political and commercial geography.

"Those whose papers are sufficiently creditable in the opinion of the examiners to warrant their going any further are then subjected to a public oral examination on public and private international law, political and commercial geography, political economy, and a conversation in English and German. Candidates for the diplomatic career are further examined orally in diplomatic history since 1648, and candidates for the consular service are examined on maritime and customs laws.

"The French foreign service is under very strict discipline, and for misconduct or inefficiency there are the following penalties:

- (1) Reprimand.
- (2) Withholding a part of the salary, not exceeding one-half thereof and not for a longer period than two months.
- (3) Suspension from the service without salary for two or more years.
- (4) Dismissal.

"The last three penalties are imposed by the minister of foreign affairs, with the consent of the council of directors, and after a written or oral hearing of the party under censure.

"In addition to their regular salaries, the French consular officers are entitled to traveling expenses and allowances for house and office rent, and for entertaining where it is necessary.

"Such a course of training and discipline must produce thorough efficiency; and the generous rewards given for faithful and profitable service must encourage a good class of men to adopt such employment as a profession to which all their energies and abilities are industriously devoted. The permanency of employment, during good behavior, gives confidence to the officer, and constantly increasing benefit to the Government.

"The British system of regulations for the admission of applicants to the consular service are as follows:

"Persons selected for the consular service, whenever the circumstance of their being resident in England, on their first appointment, or of their passing through England on their way to take up such first appointment, may admit of their being subject to examination, will be expected to satisfy the civil-service commissioners—

- "(1) That they have a correct knowledge of the English language, so as to be able to express themselves clearly and correctly in writing.
- "(2) That they can write and speak French correctly and fluently.
- "(3) That they have a sufficient knowledge of the current language, as far as commerce is concerned, of the port at which they are appointed to reside, to enable them to communicate directly with the authorities and natives of the place; a knowledge of the German language being taken to meet this requirement for ports in northern Europe; of the Spanish or Portuguese language, as may be determined by the secretary of state, for ports in Spain, Portugal, Morocco, and South or Central America; and of the Italian language for ports in Italy, Greece, Turkey, Egypt, and on the Black Sea or Mediterranean, except those in Morocco or Spain.

"(4) A sufficient knowledge of British mercantile and commercial law to enable them to deal with questions arising between British shipowners, shipmasters, and seamen. As regards this head of examination, candidates must be prepared to be examined in Smith's Compendium of Mercantile Law.

"(5) A sufficient knowledge of arithmetic for the nature of the duties which consuls are required to perform in drawing up commercial tables and reports. As regards this head of examination, candidates must be prepared to be examined in Bishop Colenso's Arithmetic.

"Moreover, all persons on their first nomination to consulships, and after having passed their examination before the civil service commissioners, will be required, as far as practicable, to attend for at least three months in the foreign office, in order that they may become acquainted with the forms of business as carried on there.

"Limit of age for candidates, 25 and 50, both years inclusive." (Fee for examination, £1 to £3.)

"Mr. Henry White, formerly secretary of legation at London, in an article contributed to the North American Review, makes the following instructive statements concerning the British consular service:

"The British service was established in its present form by act of Parliament in 1825 (6 Geo. IV. cap. 87). Up to that time its members had been appointed, on no regular system, by the King, and were paid from his civil list. This act placed the service under the foreign office, and provided for its payment out of funds to be voted by Parliament. Since then it has been the subject of periodical investigation by royal commissions and Parliamentary committees, with a view to the improvement of its efficiency. The evidence taken on these occasions is published in voluminous blue books, the perusal of which I recommend to those interested in the reform in our service.

"Appointments are made by the secretary of state for foreign affairs. Candidates must be recommended by some one known to him, and their names and qualifications are thereupon entered on a list, from which he selects a name when a vacancy occurs. The candidate selected, whose age must be between 25 and 50, is then required to pass an examination before the civil-service commissioners.

"The salaries of British consular officers are fixed, under the act of Parliament of July 21, 1891 (54 and 55 Vict., cap. 38), by the secretary of state, with the approval of the treasury, and no increase can be made in any salary without the approval of the latter. They average about £600 (\$3,000) a year, but, of course, some of the important posts are much more highly paid, the salary of the consul-general at New York being £2,000 (nearly \$10,000), with an office allowance besides of £1,000, and a staff consisting of a consul at £600, and two vice-consuls at £400 and £350, respectively; that of the consul at San Francisco, £1,200 (nearly \$6,000), with an office allowance of £600 besides



"British consular officials are retired at the age of 70 with a pension. There is also an unpaid branch of the service, consisting chiefly of vice-consuls, appointed at places which are not of sufficient importance to merit a paid official. They are usually British merchants, but may be foreigners. They are not subjected to an examination, and are rarely promoted to a paid appointment.

"Consular clerks are required to pass an examination in handwriting and orthography, arithmetic, and one foreign language (speaking, translating, and copying).

"Mr. White through a series of years was our secretary of legation at London, and is thoroughly informed on the subject of consular duties and the requirements that are essential to an efficient and respectable service. His approval of the plan adopted in this bill for the reformation of our consular system and service is a strong recommendation of its future advantages.

"In Germany persons are appointed to the office of consular chancellor who have passed their examinations as 'referendary,' a title which requires graduation at a German university, and requires a thorough knowledge of law, political science, statistics, etc. The chancellor of the consulate is promoted gradually until he reaches the rank of consul-general.

"As a rule, the personnel of our consular establishment is not in unfavorable contrast with that of the leading European States as to intelligence and sagacity; but our consuls have not usually the liberal education characteristic of the consular representatives of the great European States, nor are they so well informed as to commerce and its great variety of contributory pursuits, or with the exact business methods employed in conducting the commerce of the leading nations. This seems to be our point of most serious deficiency.

"It is proper, and may be necessary, that the laws should designate the places at which consulates are established, but discretion should be given to the President to send consuls to other places, at least temporarily, to meet the demands of trade and intercourse that may arise in new and unexpected quarters. Especially is this necessary in cases where other countries are engaged in war, and a sudden emergency calls for the protection of our citizens in places which are not designated by law as the location of consular establishments.

"But the laws should not designate the individual who is to be the consul at any particular locality. That matter should be left to the discretion of the President, so that he can at all times have the right man at the right place, to meet any demand of trade, or to secure the adequate protection of the persons and property of our citizens in any emergency, or for any public reason.

"The arrangement of fixed residences of the consuls of the several classes is not attempted in this bill. The laws and the practice of the Department of State are, for the present at least, a sufficient guide in that matter.

"The President should, however, be left free in his authority to send a consul of any class to any consulate when he may consider that the demands of the public service require such transfers.

"The reasons for such a provision of law are many and cogent, and they are so obvious as not to require any elaboration in this report. They relate as well to the fitness of consular officers for the particular duties of the occasion as to their usefulness because of their experience as to the condition of the people, the trade, and the language of the particular locality where their services are required.

"The consular establishments thus mobilized would soon show a great growth in the useful knowledge of the affairs of various parts of foreign countries, and our trade with many foreign countries would be greatly increased and rendered more secure.

"The following statements, showing the present condition of our consular service, will show that the change in the organization of the system will add materially to the revenue derived from that source, without a material increase of the expenditures:

*Expenditures for salaries of consular officers and amount of compensation in fees, where the officer has no salary, for the year 1894.*

26 consuls-general (not including those also commissioned ministers resident)	\$98,000.00
188 salaried consuls	371,500.00
11 salaried commercial agents	22,000.00
13 salaried consular clerks	15,000.00
62 feed consuls (personal perquisites in official fees)	36,152.85
33 feed commercial agents (personal perquisites in official fees)	36,505.53
Notarial and unofficial fees retained by consular officers as personal perquisites (lowest estimate)	250,000.00
333 Total	829,158.38

*Officers of the diplomatic service embraced in this bill.*

6 secretaries of embassy	\$13,875.00
17 secretaries of legation	31,975.00
23 Total	45,850.00

According to the annual report of the Fifth Auditor of the Treasury for the year ended June 30, 1894—

The expenses for last year of the consular service were \$1,055,417.48

The consular fees received for official services were 758,410.81

Excess of expenditures over receipts 297,006.62

"This excess of expenses is larger than it has been for ten years. In 1893 it only amounted to \$96,042. The difference is not due to an increase of expenditures, but, no doubt, may be found to a great extent in the changes of our tariff laws. This excess, though larger than customary, is, after all, a small sum when considered with reference to the important purposes for which it is disbursed, and, with the payment into the Treasury of the unofficial fees, as proposed under this bill, it is likely to be greatly reduced, if not changed into a balance in favor of the income from that source.

"The entire excess of expenditures for salaries in the Department of State and in the diplomatic and consular service over the receipts amounts to only \$515,999.19, the smallest amount expended by any of the great powers of the world. The expenditures of the foreign service of Great Britain, Russia, Germany, Italy, and Spain exceed this amount by very considerable figures, and the report of the ministry of foreign affairs of France for the year 1893 shows only \$240,000 receipts and \$3,200,950 expenditures, a sum almost double that expended by the United States, including even the incidental and contingent expenses of the consular and diplomatic service of the latter country.

"This bill adopts the principle of permanent official tenure, so far as the laws can control that subject, but permanent only as it is of benefit to the service. It leaves the power of removal from office to the discretion of the President. The position of each employee of the service is protected against the uncertain and demoralizing effects of changes for merely political reasons in the administration of the Government as far as Congress can control the subject. But this protection is as necessary in practice for efficient work as it is just in theory, and if the plan is adopted of appointing consuls after

they are found to be qualified for the respective classifications of the consular service they will seldom, if ever, be dropped from the service for the purpose of supplying their places with political favorites.

"The required examination for appointment and promotion creates an impediment in the way of those who may demand office as a reward for political partisanship, without having adequate knowledge of the duties of this peculiar branch of the public service.

"Each consul must, on frequent occasions, be the judge of his proper line of action without aid or direction from the minister to whom he is required to report or from the Department of State. In such cases it is requisite to the honor and security of the Government that the consul should be well informed as to his duties.

"The right of the President to select from the whole body of consuls any man for any place he may prefer, and to assign him to such place for duty, and to transfer him at pleasure to another place, is the full equivalent of the power of appointment to a particular office.

"These functions are to be exercised in foreign countries, for the most part distant from the United States, and disconnect the incumbents from participation in our home politics.

"In so far as they may be given as rewards for party services, they are a sort of pension system for men who have not been successful in getting offices at home, or who have failed of success in the usual channels of business.

"The consular system should be based upon the plan of personal qualification for its important and peculiar duties, ascertained by the examination and experience of those employed in it, rather than upon the plan of selecting those for this service who have failed in other pursuits, or those who desire to go abroad for purposes of travel, recreation, or amusement.

"This is the only branch of the public service that has been used, to any great extent, for the gratification of the incumbents, without regard to their capacity to render efficient service to the country, and it is time that our policy in respect of these offices was changed.

"Taken in the aggregate, there is no class of representatives of our Government who can so seriously affect our commerce with other countries, in their actual and direct conduct and dealings, as our consuls and commercial agents.

"We should encourage our best classes of people to qualify themselves for this important service by giving them just compensation for their work and by securing them in these offices during good behavior.

"They have much to do with the dignity of our Government, its credit in foreign lands, the honor of its flag, and the safety of its citizens."

Since Mr. Morgan made the report which has just been given, the need for a reorganization of the consular service has become more apparent with each succeeding year. This is particularly true of the last two years, which have witnessed such an enormous increase in American exports, this increase occurring chiefly in manufactured articles of the most varied kind. The development of our industrial system has reached a point where its production is far in excess of the demands of the home market, and the expansion of our export trade is the result of the necessity of finding consumption for our surplus production. It is clearly in the interest of our industry and commerce that everything which the Government can do to facilitate this expansion of our export trade should be done, and no argument is needed to show that the consular service ought to be a most efficient instrument in promoting American exports and in aiding our industry and commerce to find new markets.

No one who has examined this question can fail to be convinced that we might and ought to obtain a much higher degree of efficiency in our consular service in these directions than is now the case. The chief trouble lies not in the character or ability of our consuls, but in the defective system under which they are appointed. A consul, as a rule, is most valuable to our business interests in proportion to his experience in the consular service, yet under the existing system experience is no guaranty for retention in the service, and when a man has attained experience the time has usually been reached for his removal, on account of a political change at Washington, and for replacing him with an inexperienced man who has the entire lesson to learn afresh from the beginning.

The bill reported from the committee aims to correct this evil by assuring a greater permanency of tenure, promotion for good service, and original appointments to the lowest grade of consulates of men whose fitness for the service has been, in a measure, tested by examination. The work of examining candidates is intrusted by the bill to a board composed of officers of the State Department and of the consular service to whom the requirements of that service are most familiar.

The bill also makes an important and much-needed change by abolishing all fees, wherever practicable, and giving to the consuls a proper salary. If all fees are turned into the Treasury of the United States it is believed that, despite the increase of salaries carried by the bill, the service will be practically self-supporting, certainly more nearly so than it is now, and that thus a better system will not only be obtained, but there will be a direct saving to the Government.

The bill also simplifies the present organization by bringing all commercial agents who are citizens of the United States into the regular service. It further requires that all persons now in the service shall be recalled and examined for reappointment in such manner as the board may prescribe; their record, to which great weight will be given, of course, will be examined at the same time. This provision, the committee believe, will lead to a marked improvement in the general character of the service, and will put all members of the service under the reorganization on the same plane.

The consular clerks, who must not be confounded with the clerks employed in consulates, but who now form a body of officers established by law, and who are sent out in various exigencies to take temporary charge of consulates, are, by this bill, to be graded as consuls and brought within the scheme of reorganization.

The committee have aimed to make the scheme of reorganization as simple as possible, and to seek only to give to the consular service a greater permanency of tenure and a higher degree of efficiency. Your committee believe that the consular service, reorganized as is proposed by this bill, will be of very great service to the business interests of the country and in advancing the development of our export trade. The industry and commerce of the United States have a right to demand the best consular system which the Government can provide. It is difficult to estimate the importance to our business interests of the information which an energetic and thoroughly organized consular service could furnish them. Many large firms and corporations now maintain agents in all parts of the world to gather this information for them, but smaller firms and corporations, unable to go to this expense, are put at a disadvantage, because the consular service fails to give them what they have a right to expect. Representatives of chambers of commerce and of other commercial bodies from all over the country appeared before your committee to urge the passage of this bill. The attention of the Senate is especially invited to the statements made by these gentlemen which are appended to this report.

Your committee feel that, in response to the demand of our business men and as a potent means of promoting our export trade, the legislation embodied in this bill should receive prompt action at the hands of Congress.

Mr. HALE. Mr. President, I think the Senator from New Hampshire [Mr. GALLINGER] did not withdraw his point of order, but refrained from pushing it so that the Senator from Massachusetts [Mr. LODGE] might submit his remarks to the Senate. I only wish to say that the Committee on Appropriations, having charge of the bill, did not think it a good thing now upon this bill to enter upon this large subject of the complete revision of the consular force. Therefore nothing has been done by the committee, and the amendment is clearly, as suggested by the Senator from Massachusetts himself, subject to the point of order raised by the Senator from New Hampshire.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. BEVERIDGE. I was engaged in conversation with a Senator at the time when the point of order was made, and so I did not hear it and do not now know what its condition is before the Senate.

The PRESIDENT pro tempore. It is not before the Senate at all.

Mr. BEVERIDGE. It is not to be voted upon?

The PRESIDENT pro tempore. It is not, unless there is an appeal from the decision of the Chair.

Mr. BEVERIDGE. I assure the Chair that I cherish not even an embryonic purpose of that kind.

This is a subject in which for many years I have been profoundly interested, and on which I have experienced two or three changes of opinion, brought about by investigation of a great many score of consuls in various countries; and while I shall be very apt to follow the Senator from Massachusetts in any measure of this kind, which might meet his final and mature judgment—because he has perhaps given it more study than any other Senator who is now a member of this body—there are certain points as to which I would feel impelled at the time I did support him to explain myself upon. But if the amendment is not now before the Senate, of course, I do not care to take the Senate's time in presenting those points of divergent view with the Senator from Massachusetts. I might merely mention them for a minute or two minutes before I sit down, and call the attention of the Senator to the fact, as I did in my question, that one of the great evils recognized in the diplomatic and consular service of other countries is that failure of energy, what the English call "the dry rot" of their consular service; and which all are agreed is brought about by a certainty of official tenure and length of official service. That would have to be remedied in some way in any sort of a method of consular reform.

It is also true, Mr. President, that the preparation of our men is not so bad as those who have become enthusiasts upon the subject of consular reform have led themselves to believe. Our men go over there fresh from American business and political life. It is a training which, while not perhaps the best for this special purpose, nevertheless sharpens a man's wits and stimulates his energy. Witness the tribute paid to the American consular service by the German Government. It will be found in the report of the German Imperial commission upon the consular services of the world, quoted in a book issued by the consular bureau of our State Department. It is the highest practical tribute, a tribute that has not been paid to the consular service of any other nation in the world. It even goes on in perhaps the language of extravagant eulogy to say that our consuls all over Europe are the unrivaled sentinels of American enterprise and commerce. Therefore it will not do to say that simply because our men are picked up fresh from American business life they are thereby unfitted for these great duties.

I had intended, in case this amendment was before the Senate, as I find it is not, to speak at very limited length upon the comparative value of the German consular service, the English consular service, and the American consular service, which perhaps affords three of the best types of the different consular systems in the world; but, of course, Mr. President, if the point of order has been made to the amendment of the Senator from Massachusetts I shall not do so.

I want merely to say before I conclude that I am in most hearty sympathy with any reform of the consular service which will eliminate certain evils that are patent to every one, but it must at the same time prevent those evils which have accompanied a life tenure and a certainty of service in other systems, and which have made the English themselves very bitterly criticize their own consular service throughout the world. It has even been said on one or two occasions that the decline of British commerce in certain portions of the world has been due to the indifference of their consuls.

Of course I shall not address the Senate upon this subject now, although I thought the amendment was before the Senate, but I merely wanted to suggest these two or three points of difference, saying at the same time that I should support the measure of the

Senator from Massachusetts, and likely any other measure that might meet the final and mature judgment of the Senator from Massachusetts upon this question, because I am earnestly in favor of some renovation of the consular service; but at the same time it has its virtues, which must be preserved.

Mr. GALLINGER. I had intended, Mr. President, to address myself for a few minutes to the amendment which has been ruled out, and I presume I could, under the elastic rules of this body, do so now without reference to whether anything is pending or not, but I will not do so. I recall the earnest lecture that we received this morning from the Senator from Maine [Mr. HALE], in which he notified the country that the majority of this Senate was filibustering—something that I never heard suggested in a legislative body before in my life and never expect to hear suggested again. In addition to that, I am extremely anxious to hear the concluding chapters of the very interesting and able speech that my colleague [Mr. BURNHAM] is delivering. For those two reasons I shall take but a moment's time of the Senate.

Mr. BEVERIDGE. Mr. President, may I ask the Senator a question?

Mr. GALLINGER. Certainly.

Mr. BEVERIDGE. Do I understand that the Senator engages to listen patiently to the concluding chapters of his colleague's address?

Mr. FORAKER. I call for the regular order, Mr. President.

Mr. GALLINGER. This is the regular order. I am the regular order just now.

Mr. FORAKER. I beg pardon. I thought the Senator from New Hampshire had concluded.

Mr. BEVERIDGE. No; I asked the Senator from New Hampshire a question.

Mr. GALLINGER. The Senator from Indiana has been propounding questions that have had no relation whatever to the question before the Senate for the last two weeks; and we all understand his purpose. I will answer any reasonable question that the Senator can propound at any time, and will take pleasure in doing so.

I was merely about to say, Mr. President, that I do not propose to take the time of the Senate. I want the public business to proceed as expeditiously as possible, and certainly I shall not put myself in an attitude at any time to prevent it, desiring, as I do, that the majority of this Senate shall control the business of the Senate in a proper way under the rules of this body.

I will content myself, Mr. President, on this question of consular reform by asking permission to introduce into my remarks a very brief editorial from a recent issue of the New York Sun, which discusses this matter and which calls attention to what Mr. Frederic Emory, Chief of the Bureau of Foreign Commerce, has said as to the value of our consular service and the most excellent work that our consuls are doing in all parts of the world.

The PRESIDENT pro tempore. In the absence of objection, the article will be published in the RECORD.

The article referred to is as follows:

OUR USEFUL CONSULS—THEY ARE HUSTLING FOR AMERICAN TRADE IN ALL PARTS OF THE WORLD.

Poorly paid as it is and inadequately supported, the American consular service is more efficient to-day than that of any other country. The Germans have paid us the compliment of saying that it is a corps of spies engaged in learning jealously guarded trade secrets, and from England tributes come which are more temperate but equally flattering.

In a report which has just been issued, Mr. Frederic Emory, Chief of the Bureau of Foreign Commerce, says that whatever may be the defects of the present service, it is showing itself alert and responsive to new conditions. "A most gratifying evidence," he says, "of the increasing value of the consular reports, of which there are now five classes—annually, quarterly, monthly, special, and daily—is found in the widespread demand for them on the part of colleges and schools as reference books in special courses of commercial instruction. This demand has grown up within the past few years, and in itself is symptomatic of the spread of popular interest in foreign trade. In addition to the published reports, the consuls of late, by means of correspondence conducted under the supervision of the Department of State, have supplied a great mass of information to trade bodies and business firms, and in many cases have voluntarily exerted themselves in other ways to promote commercial expansion. Their efforts frequently elicit warm commendation in letters to the Department from the trade interests thus benefited, and even when a consular officer lacks other qualifications it seldom happens that he fails to exhibit the characteristic American spirit in 'hustling' for business, not for himself, but for his country."

The PRESIDENT pro tempore. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ORDER OF BUSINESS.

Mr. FORAKER. I ask that the Senate proceed with the consideration of the statehood bill.

Mr. WARREN. I ask unanimous consent for the present consideration of the bill (H. R. 15922) making an appropriation for



the suppression and to prevent the spread of contagious and infectious diseases of live stock, and for other purposes. I think it will take but a few moments.

Mr. FORAKER. I hope the Senator from Wyoming, unless this is something of an emergency measure, will not ask for its present consideration. We have temporarily laid aside the unfinished business now for some two or three hours to accommodate Senators, and the Senator from New Hampshire [Mr. BURNHAM] is about to conclude his speech, as I understand, and I should be very glad to resume at this time the further consideration of that bill, so that he may conclude this afternoon.

Mr. ALDRICH. At this hour in the day it hardly seems worth while to proceed to the consideration of any measure. The Senate has been in session a long time to-day, and I suggest to the Senator from Ohio that we had better adjourn and give the Senator from New Hampshire a chance to go on in the morning.

Mr. GALLINGER. When he is fresh.

Mr. ALDRICH. He will then be fresh.

Mr. FORAKER. I should like to accommodate myself, of course, to the wishes of Senators, but the Senator from New Hampshire has been waiting here patiently now until I am ashamed to look over in his direction even.

Mr. ALDRICH. In order to test the sense of the Senate, I move that the Senate adjourn.

Mr. FORAKER. For four hours he has been impatient to resume his remarks. He has had only four days and I insist that he shall have another day now, and I shall yield to nothing.

Mr. ALDRICH. I move that the Senate adjourn.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island, that the Senate adjourn. [Putting the question.] The "noes" appear to have it.

Mr. FORAKER. I call for the yeas and nays.

The PRESIDENT pro tempore. The Chair was going to announce that the "noes" had it.

Mr. ALDRICH. I hope we will have a vote by yeas and nays.

Mr. BEVERIDGE. I hope the Senator from Ohio will not object to the motion.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Rhode Island that the Senate adjourn.

The motion was not agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 921) granting a pension to Joanna Rogers;  
An act (S. 1300) granting a pension to Judson N. Pollard;  
An act (S. 2545) granting a pension to William Johnston;  
An act (S. 2646) granting a pension to Justus L. Denton;  
An act (S. 4075) granting a pension to Henry R. Gibbs;  
An act (S. 5431) granting a pension to Daniel Dougherty;  
An act (S. 5639) granting a pension to William H. Durham;  
An act (S. 5774) granting a pension to Asa E. Sampson;  
An act (S. 5814) granting a pension to Preston W. Burford;  
An act (S. 5816) granting a pension to Etta A. Whitehouse;  
An act (S. 473) granting an increase of pension to Mabery H. Presley;

An act (S. 484) granting an increase of pension to Fletcher J. Walker;

An act (S. 1299) granting an increase of pension to Ambrus U. Harrison;

An act (S. 1479) granting an increase of pension to Thomas L. Caughey;

An act (S. 1739) granting an increase of pension to William S. Frost;

An act (S. 2353) granting an increase of pension to Almond Partridge;

An act (S. 3035) granting an increase of pension to Elias Brewster;

An act (S. 3365) granting an increase of pension to Eliza M. Miller;

An act (S. 3397) granting an increase of pension to Eliza A. Walker;

An act (S. 3508) granting an increase of pension to James M. Thomas;

An act (S. 3661) granting an increase of pension to George W. Edmonds;

An act (S. 4043) granting an increase of pension to Catharine A. Carroll;

An act (S. 4093) granting an increase of pension to William Barrett;

An act (S. 4374) granting an increase of pension to Abraham Shreeves;

An act (S. 4528) granting an increase of pension to Corydon Millard;

An act (S. 4718) granting an increase of pension to Sarah A. Whitcomb;

An act (S. 4809) granting an increase of pension to Henry J. McFadden;

An act (S. 4811) granting an increase of pension to John W. Dick;

An act (S. 4866) granting an increase of pension to Sarah D. Bereman;

An act (S. 4941) granting an increase of pension to William Nichol;

An act (S. 4943) granting an increase of pension to Abraham Park;

An act (S. 5019) granting an increase of pension to Hannah E. James;

An act (S. 5403) granting an increase of pension to Lyman Hotelling;

An act (S. 5660) granting an increase of pension to George W. Berry;

An act (S. 5812) granting an increase of pension to Wallace Fairbank;

An act (S. 5944) granting an increase of pension to Frederick W. Willey, alias William F. Willey;

An act (S. 6101) granting an increase of pension to Reuben Andrews;

An act (S. 6123) granting an increase of pension to Thomas L. Collins;

An act (S. 6151) granting an increase of pension to Henry E. Burton; and

An act (S. 6330) granting an increase of pension to Allen M. Ripley.

The message also announced that the President of the United States had, on the 24th instant, approved and signed the act (S. 1902) for the relief of Flora A. Darling.

#### HOUSE BILL REFERRED.

The bill (H. R. 16910) making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1904, was read twice by its title and referred to the Committee on Agriculture and Forestry.

#### FANNIE M'HARG.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 6132) granting an increase of pension to Fannie McHarg, which was, in line 8, before the word "dollars," to strike out "sixteen" and insert "twelve."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

#### EXHIBIT OF AMERICAN MERCHANDISE AT SHANGHAI, CHINA.

Mr. McCUMBER. Mr. President, I wish to give notice that on Tuesday, the 10th day of February, immediately after the routine morning business, I will submit some remarks on the bill (S. 6125) for the erection and maintenance of an exposition building in the city of Shanghai, in the Empire of China, for the appointment of a commissioner in charge thereof, and for other purposes.

Mr. ALDRICH. I should like to ask the Senator from North Dakota if he has the consent of the Senator from Pennsylvania [Mr. QUAY] for that purpose?

Mr. McCUMBER. No; nor the consent of the Senator from Indiana [Mr. BEVERIDGE], but I assume that they will both grant it.

#### STATEHOOD BILL.

The PRESIDENT pro tempore. The bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States is before the Senate.

Mr. WARREN. I desire to give notice that at an early day I shall ask the Senate to consider the bill which I have endeavored to call up.

Mr. FORAKER. If the Senator from Wyoming will allow me to get the unfinished business under way, so far as I have power to do so, I will yield, if the matter is one that will require only a moment and will not precipitate debate.

Mr. HALE. The statehood bill is before the Senate.

The PRESIDENT pro tempore. It is before the Senate.

#### SUPPRESSION OF DISEASES OF LIVE STOCK.

Mr. WARREN. I desire to ask the Senator from Ohio to yield to me to call up the bill (H. R. 15922) making an appropriation for the suppression and to prevent the spread of contagious and infectious diseases of live stock, and for other purposes. It will not lead to debate.

Mr. FORAKER. I yield to the Senator upon his assurance

that the bill will not provoke any debate, and that it is a short measure. If it does precipitate debate, I will withdraw my consent.

Mr. WARREN. I think it should not provoke any debate, and should it provoke debate of consequence, I shall expect to withdraw it, of course.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent that the unfinished business may be laid temporarily aside, and that the Senate may proceed to the consideration of the bill indicated by him. Is there objection?

Mr. ALDRICH. I ask that the bill may be read for information.

The PRESIDENT pro tempore. It will be read for information. The Secretary read the bill.

Mr. WARREN. I will state that it is proposed to change the title of the bill, so that it will not be an appropriation bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 3, after line 20, to insert as a new section the following:

SEC. 3. That any person, company, or corporation knowingly violating the provisions of this act or the orders or regulations made in pursuance thereof shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment not more than one year, or by both such fine and imprisonment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes."

#### STATEHOOD BILL.

Mr. FORAKER. The Senator from New Hampshire [Mr. BURNHAM] has informed me that it will be inconvenient for him to go on this evening, and that he would greatly prefer to take the floor in the morning. Therefore I withdraw my objection to the motion of the Senator from Rhode Island.

Mr. ALDRICH. I move that the Senate adjourn.

Mr. BURTON. May I ask the Senator from Rhode Island to yield to me for a moment?

Mr. ALDRICH. I think the Senator had better get up his bill in the morning.

Mr. BURTON. I can not get it up in the morning.

Mr. ALDRICH. I think I shall have to insist on my motion. I think if the Senator, with his influence, will appeal to the Senator from Pennsylvania [Mr. QUAY], it will be all right.

Mr. BURTON. I am afraid some one on the other side will object.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 27, 1903, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 26, 1903.*

##### COMMISSIONER OF GENERAL LAND OFFICE.

William A. Richards, of Wyoming, to be Commissioner of the General Land Office, to take effect February 2, 1903.

##### COLLECTORS OF CUSTOMS.

Henry McCall, of Louisiana, to be collector of customs for the district of New Orleans, in the State of Louisiana.

George A. Curran, of Maine, to be collector of customs for the district of Passamaquoddy, in the State of Maine.

##### POSTMASTERS.

###### CONNECTICUT.

Willis W. Mildrum, to be postmaster at East Berlin, in the county of Hartford and State of Connecticut.

Alfred W. Converse, to be postmaster at Windsor Locks, in the county of Hartford and State of Connecticut.

###### KENTUCKY.

John W. Breathitt, to be postmaster at Hopkinsville, in the county of Christian and State of Kentucky.

Miles M. J. Williams, to be postmaster at Eminence, in the county of Henry and State of Kentucky.

##### MASSACHUSETTS.

Carl Wurtzbach, to be postmaster at Lee, in the county of Berkshire and State of Massachusetts.

Kate E. Hazen, to be postmaster at Shirley, in the county of Middlesex and State of Massachusetts.

##### OHIO.

John A. Birkimer, to be postmaster at New Lexington, in the county of Perry and State of Ohio.

William H. H. Masters, to be postmaster at Scio, in the county of Harrison and State of Ohio.

Edward P. Flynn, to be postmaster at South Charleston, in the county of Clark and State of Ohio.

Wirt Kessler, to be postmaster at West Milton, in the county of Miami and State of Ohio.

##### PENNSYLVANIA.

William L. Bixler, to be postmaster at Ephrata, in the county of Lancaster and State of Pennsylvania.

William D. Hamilton, to be postmaster at Freedom, in the county of Beaver and State of Pennsylvania.

Isaac T. Klingensmith, to be postmaster at Leechburg, in the county of Armstrong and State of Pennsylvania.

Albert Secor, to be postmaster at Sheffield, in the county of Warren and State of Pennsylvania.

Allen C. W. Mathues, to be postmaster at Media, in the county of Delaware and State of Pennsylvania.

Charles L. Ferree, to be postmaster at St. Clair, in the county of Schuylkill and State of Pennsylvania.

Rosella M. Russell, to be postmaster at Glassport, in the county of Allegheny and State of Pennsylvania.

Joseph M. Brothers, to be postmaster at Knox, in the county of Clarion and State of Pennsylvania.

Adam Laubach, to be postmaster at Siegfried, in the county of Northampton and State of Pennsylvania.

William W. Morgan, to be postmaster at Slatington, in the county of Lehigh and State of Pennsylvania.

Lilly Watters, to be postmaster at Evans City, in the county of Butler and State of Pennsylvania.

Luther P. Ross, to be postmaster at Saxton, in the county of Bedford and State of Pennsylvania.

W. H. Jeffries, to be postmaster at Bellwood, in the county of Blair and State of Pennsylvania.

John H. Holmes, to be postmaster at Freeport, in the county of Armstrong and State of Pennsylvania.

George F. Stackpole, to be postmaster at Lewistown, in the county of Mifflin and State of Pennsylvania.

George C. Wagenseller, to be postmaster at Selinsgrove, in the county of Snyder and State of Pennsylvania.

Silas E. Dubbel, to be postmaster at Waynesboro, in the county of Franklin and State of Pennsylvania.

John H. Bishop, to be postmaster at Millersville, in the county of Lancaster and State of Pennsylvania.

William E. Root, to be postmaster at Cambridge Springs, in the county of Crawford and State of Pennsylvania.

William C. Steele, to be postmaster at Brownsville, in the county of Fayette and State of Pennsylvania.

John H. Thomas, to be postmaster at Carbondale, in the county of Lackawanna and State of Pennsylvania.

Thomas K. Pullin, to be postmaster at Confluence, in the county of Somerset and State of Pennsylvania.

James Agnew, to be postmaster at Mercersburg, in the county of Franklin and State of Pennsylvania.

Thomas F. Dunn, jr., to be postmaster at Weatherly, in the county of Carbon and State of Pennsylvania.

D. O. Merrick, to be postmaster at Blossburg, in the county of Tioga, and State of Pennsylvania.

William H. Pennell, to be postmaster at Duncannon, in the county of Perry and State of Pennsylvania.

John W. Armstrong, to be postmaster at Eddystone, in the county of Delaware and State of Pennsylvania.

Orange S. Brown, to be postmaster at Williamsport, in the county of Lycoming and State of Pennsylvania.

David S. Kern, to be postmaster at Pottsville, in the county of Montgomery and State of Pennsylvania.

John S. Wilson, to be postmaster at Columbia, in the county of Lancaster and State of Pennsylvania.

Abel H. Byers, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania.

John H. Dunn, to be postmaster at Parkesburg, in the county of Chester and State of Pennsylvania.

Alfred W. Christy, to be postmaster at Slippery Rock, in the county of Butler and State of Pennsylvania.

Levi Sparr, to be postmaster at Williamsburg, in the county of Blair and State of Pennsylvania.



Samuel H. Jackson, to be postmaster at Claysville, in the county of Washington and State of Pennsylvania.

Samuel B. Sickelsmith, to be postmaster at Newhaven, in the county of Fayette and State of Pennsylvania.

John C. F. Miller, to be postmaster at Rockwood, in the county of Somerset and State of Pennsylvania.

#### RHODE ISLAND.

Warren W. Logee, to be postmaster at Pascoag, in the county of Providence and State of Rhode Island.

George E. Gardner, to be postmaster at Wickford, in the county of Washington and State of Rhode Island.

#### SOUTH DAKOTA.

James B. Barber, to be postmaster at Rapid City, in the county of Pennington and State of South Dakota.

### HOUSE OF REPRESENTATIVES.

MONDAY, January 26, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

#### POSTMASTER AT INDIANOLA, MISS.

Mr. LOUD. Mr. Speaker, I desire to present a privileged report from the Committee on Post-Offices and Post-Roads.

The SPEAKER. The gentleman from California [Mr. LOUD] calls up a privileged report, which the Clerk will read.

The Clerk read as follows:

The Committee on the Post-Office and Post-Roads have had under consideration the resolution No. 388, and beg to report the same back to the House with the recommendation that the same pass, with the following amendment: Strike out all after the word "Mississippi," in line 6.

The clause proposed to be struck out by the committee is as follows:

And to state why, so far as he may know, such resignation has not been accepted and a new appointment made, so that the people of said town may be provided with the privileges of post-office service.

The following is the resolution as proposed to be amended:

Resolved, That the Postmaster-General be requested to transmit to the House of Representatives, if not inconsistent with the public interest, a copy of all correspondence and other documents in his possession or under his control pertaining to the recent resignation of the postmaster at Indianola, in the State of Mississippi.

The SPEAKER. The question is on the amendment reported by the committee.

Mr. RICHARDSON of Tennessee. I understand that this is a unanimous report. Am I correct in that?

Mr. LOUD. It is.

The SPEAKER. The question is on agreeing to the amendment.

Mr. WILLIAMS of Mississippi. I should like to ask a question of the gentleman from California [Mr. LOUD].

Mr. LOUD. I yield to the gentleman for that purpose.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I was busy at the moment that this report was read. Does the resolution, as now presented, call upon the President as well as upon the Postmaster-General for correspondence in his hands?

Mr. LOUD. I will state that it does not. It calls upon the Postmaster-General.

Mr. WILLIAMS of Mississippi. Well, Mr. Speaker, a parliamentary inquiry: Would it be in order to offer an amendment to the resolution?

Mr. LOUD. I am not disposed to yield for an amendment.

The SPEAKER. The gentleman from California controls the time on the resolution.

Mr. WILLIAMS of Mississippi. I wanted to offer an amendment, if the gentleman would yield for that purpose, calling upon the President, as well as the Postmaster-General, for correspondence in his hands.

Mr. LOUD. I want to state for the information of the gentleman that the committee have arrived at a unanimous report upon this resolution, and we are satisfied that the correspondence in this case is in the hands of the Postmaster-General.

Mr. WILLIAMS of Mississippi. I am informed that there are some communications in the hands of the President, and we should like to have them, in order that light may be fully shed on this question. If the gentleman will yield for that purpose, I will offer an amendment to insert the words "President and" just before the word "Postmaster-General."

Mr. LOUD. I regret to say that I can not yield for that purpose.

Mr. WILLIAMS of Mississippi. Very well.

Mr. SWANSON rose.

The SPEAKER. Does the gentleman from California yield to the gentleman from Virginia [Mr. SWANSON]?

Mr. LOUD. Yes, sir.

Mr. SWANSON. I understand from the gentleman from Cali-

fornia that all the correspondence in this case will be sent to the House under this resolution, except, I think, one personal letter, which it is claimed was written to the President, which he claims was a personal letter, and which the public interest would not permit to be sent under the resolution if it had been amended as suggested. That is the reason why an amendment offered by myself in the committee, to insert the word "President," was not pressed. It was upon the assurance that all the papers would be communicated for the consideration of the House—

Mr. WILLIAMS of Mississippi. Except some.

Mr. SWANSON. Except a letter that the President claims is a personal letter, and which he says it would not be compatible with the public interest for him to communicate. That is my understanding, and the reason why we did not insist that an amendment inserting the word "President" should be included. Our understanding was that all the correspondence would be sent in.

The SPEAKER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The resolution as amended was adopted.

On motion of Mr. LOUD, a motion to reconsider the last vote was laid on the table.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. HEMENWAY, from the Committee on Appropriations, reported the bill (H. R. 17046) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. PAYNE. I reserve all points of order.

The SPEAKER. The gentleman from New York reserves all points of order on the bill.

#### NATIONAL FLORENCE CRITTENTON MISSION.

Mr. BABCOCK. Mr. Speaker, I call up for consideration the bill (H. R. 14899) to amend an act entitled "An act to incorporate the National Florence Crittenton Mission."

The SPEAKER. The gentleman from Wisconsin, chairman of the Committee on the District of Columbia, calling up the business of that committee, submits the following bill.

The bill was read, as follows:

Be it enacted, etc., That an act entitled "An act to incorporate the National Florence Crittenton Mission," approved April 9, 1898, is hereby amended so as to read as follows:

"That Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton, and their associates and successors, are hereby constituted a body politic and corporate in the District of Columbia in perpetuity, by the name of the 'National Florence Crittenton Mission,' for the following purposes, namely: To aid and encourage destitute, homeless, and depraved women and men to seek reformation of character and respectability and to reach positions of honorable self-support, and especially to provide for women and young girls who have led profligate lives, or having been betrayed from the path of virtue are sincerely willing to reform, temporary homes and employment until they can be restored to friends or established in honest industry; also to establish homes for working girls; and for those purposes to carry on such homes, industrial enterprises, and such other instrumentalities as may be adapted thereto. Said corporation, through its board of trustees, shall have power to have and use a common seal, to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make reasonable by-laws, rules, and regulations needful for the government of said corporation and giving effect to the objects of its creation, not inconsistent with the Constitution and laws of the United States; to receive, have, and hold real and personal estate by purchase, gift, or devise, and the same to use, sell, and convey for the reasonable purposes and benefit of said corporation; to receive, have, and hold real and personal estate in trust for the uses, purposes, and benefit of the said corporation in founding and carrying on its homes for women and girls and other enterprises as aforesaid, and the same to use, sell, and convey in accordance with the terms of any such trust or trusts; to employ such officers, agents, and employees as they may reasonably deem necessary for such purposes; to fix their compensation, duties, and obligations, and change or remove them as often as in their judgment the interests of the said corporation may require.

"SEC. 2. That the number of trustees for the first year of said organization shall be five, namely: Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton; and any and all vacancies which may occur in said board of trustees shall be filled by an affirmative vote of a majority of the trustees present entitled to vote at any meeting duly called or set for that purpose. The right to alter, amend, or repeal this act at any time is hereby expressly reserved."

The following amendment, recommended by the Committee on the District of Columbia, was read:

In line 11, page 2, strike out the words "in any court of the United States."

Mr. PEARRE. Mr. Speaker—

The SPEAKER. Does the gentleman from Wisconsin yield?

Mr. BABCOCK. I yield to the gentleman from Maryland who made the report, Mr. Speaker.

The SPEAKER. How much time is yielded?

Mr. BABCOCK. As much time as is necessary.

The SPEAKER. The gentleman from Maryland.

Mr. PEARRE. Mr. Speaker, there are two other amendments made necessary by the death of Wager Swayne, one of the incorporators.